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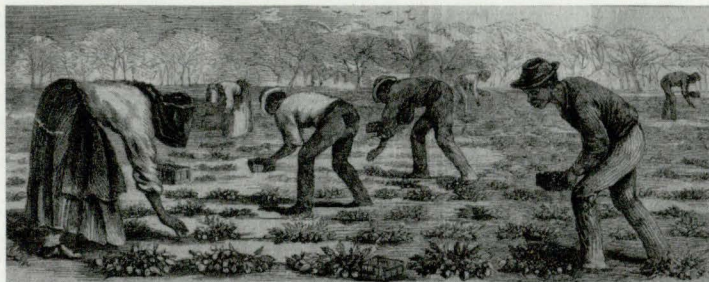
# **THE MANY FACES OF SLAVERY**



S. C. STATE ARCHIVES  
COLUMBIA  
STATE OF SOUTH CAROLINA

**ALEXIA JONES HELSLEY  
PATRICK MCCAWLEY**  
SOUTH CAROLINA DEPARTMENT OF ARCHIVES AND HISTORY

# THE MANY FACES OF SLAVERY



ALEXIA JONES HELSLEY AND PATRICK MCCAWLEY

SOUTH CAROLINA DEPARTMENT OF ARCHIVES AND HISTORY

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ISBN 1-880067-52-8

EDITOR AND DESIGNER:

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ACKNOWLEDGEMENTS

The authors thank:

Judith M. Andrews,  
Tim Belshaw,  
Marion C. Chandler,  
Garry E. Davis,  
Wade H. Dorsey  
Bryan McKown, and  
Dolly Wells  
for their input,  
encouragement, and  
research assistance.

DEDICATED TO:

William E. Leverette, Jr.

J. Eugene Norris,

Paul Mishoe Pridgen, III

*" . . . What doth the Lord require of thee,  
but to do justly, and to love mercy,  
and to walk humbly with thy God?"*

*Micah 6:8 (KJV)*

ILLUSTRATION:

Opposite:

"Strawberry Culture, at the Derby Farm,  
Aiken, S.C." *Frank Leslie's Illustrated  
Newspaper*, 29 May 1869, 173.

Picture Collection, South Carolina  
Department of Archives and History

Cover:

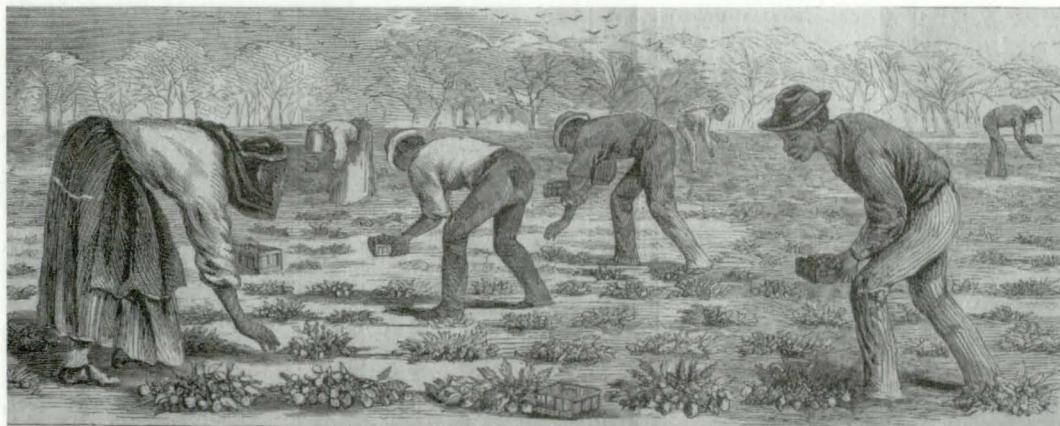
Cast-iron effigy of enslaved

African American, Andiron c.1790.

Collection of Robert H. Mackintosh, Jr.

(Photograph, Alexia J. Helsley).

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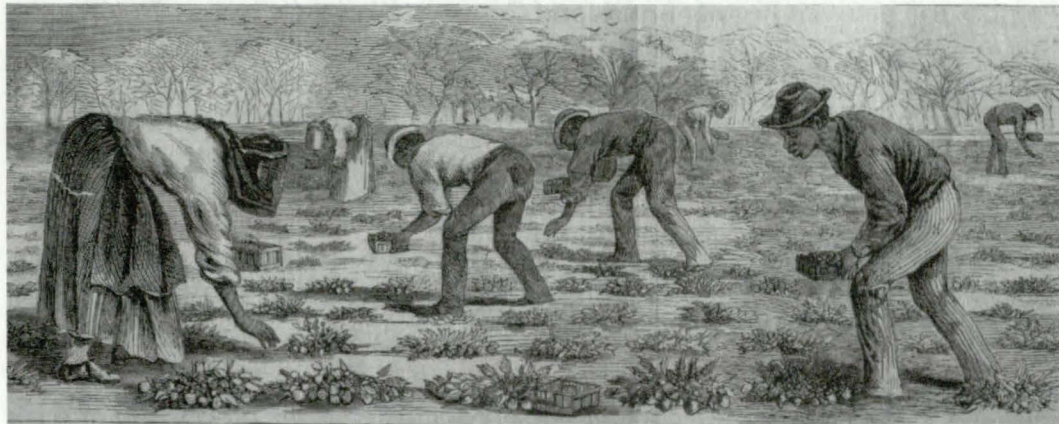
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## SLAVERY IN ANTEBELLUM SOUTH CAROLINA



South Carolina was born under the sign of slavery. The Fundamental Constitutions in 1669 set that destiny for the yet unborn colony when they affirmed the reality of slavery by granting slaves religious liberty. In 1670 Governor William Sayle brought with him from Barbados John, Elizabeth, and John, Jr.—the first slaves known to have entered South Carolina. In 1691, the colony of South Carolina enacted its first slave code.

By 1708 African American slaves had a numerical supremacy over the European population—a situation that made slaveholders fearful and displayed the economy's growing dependence upon slave labor. On 9 September 1739 a group of enslaved African Americans launched the Stono Rebellion—the first major slave revolt in South Carolina. A revolt had been documented as early as 1720, and rumors of other uprisings had persisted throughout the 1720s and 1730s. But this one, which attracted at least one hundred followers, was ruthlessly suppressed by white South Carolinians, who killed or executed forty or more individuals.<sup>1</sup>

To keep the number of slave imports down, the General Assembly raised the duty on slaves. Then, in 1740, the legislature passed Act no. 670—South Carolina's definitive slave code. This act, with modifications, determined the relationships of owners and slaves until Emancipation in 1865. The act made African Americans living in the colony, unless they were free at that time, "absolute slaves" and "chattels personal"; it said those who were born in South Carolina after 1740 were to follow the condition of their mother; it placed restrictions on assemblies, the bearing of arms, trade, and education; it proscribed certain clothing; and it penalized masters who abused their slaves.<sup>2</sup>



The American Revolution brought change and uncertainty. Talk of freedom was widespread, but "freedom" meant one thing for the enslaved and another for the free. In South Carolina, the war was a civil war waged between Tories and Patriots and between Regular British and Continental or State troops. In 1781, the British occupied Charles Town and offered slaves incentives like freedom for deserting their masters. Thousands fled to the British lines. Others, however, served in the South Carolina navy or as musicians and support staff for continental and state troops fighting for the Patriot cause. John Chavis, a free African American, received wounds while defending South Carolina's right to be free.<sup>3</sup> Antiqua, a slave, spied on the British and was freed for his loyalty.<sup>4</sup>

During the early national period from 1790 to 1820, the state both expanded and retrenched. Expansion came as more South Carolinians became planters. Eli Whitney's invention of the cotton gin made it possible for the back country to produce a major cash crop. Before the invention of the gin, only the production of long-staple Sea Island cotton could show a profit. After it, the production of short staple cotton, which was suited to conditions in the midlands and back country, was profitable as well. Between 1790 and 1800 cotton production in South Carolina grew from around seventy thousand to twenty million pounds.<sup>5</sup> As cotton production increased so, too, did the need for African American laborers.

Thoughts of freedom engendered by the American Revolution were lost not only in a rush for new profits but also in a revived fear of insurrection. Between 1791 and 1793, François Toussaint L'Ouverture led an uprising of enslaved and free African Americans in the French colony of Saint Domingue on the Island of Hispaniola. Insurgents burned plantations and killed their owners, and many Saint Domingans, some with their slaves, fled to Charleston for refuge. Their stories of carnage filled South Carolinians with horror.<sup>6</sup>

Acts passed between 1792 and 1818 reflected a dichotomy—the state's desire to maintain an adequate slave force to work its expanding agricultural system while containing the slave population and preventing the importation of revolutionary ideas.

South Carolina passed the first of a series of acts banning the importation of slaves in 1792. It repealed these with the passage of Act no. 1814 in 1803. In 1808, the United States abolished the foreign slave trade. In 1816, South Carolina enacted legislation to prohibit the importation of slaves from sister states. In 1818, it repealed this legislation as well.<sup>7</sup>

In 1800, with the number of free African Americans in South Carolina growing, the state passed legislation to restrict its fairly liberal pre-Revolutionary manumission policy. Colonial slaveholders, with few exceptions, had been able to free their slaves at will, and the colonial legislature even recognized the contributions of certain slaves by granting them freedom.<sup>8</sup> The act of 1800,<sup>9</sup> however, changed



all that. It said slaveholders who wished to free slaves would have to appear before a Magistrates and Freeholders Court with the slaves they wished to set free. There, a magistrate and five freeholders would examine the slave's character and ability to earn a living. Slaves set free by the court received from the clerk a copy of the court's certificate and deed of emancipation. Slaves freed by other means, except pre-act bequests, could be seized and returned to slavery.<sup>10</sup>

In 1820, the General Assembly placed further restrictions on a slaveholder's right to manumit. Citing "the great and rapid increase of free negroes and mulattoes in this State," it passed Act no. 2236—"An Act to restrain the emancipation of Slaves, and to prevent Free persons of Color from entering into this State; and for other purposes." This act declared "That no slave shall hereafter be emancipated but by act of the Legislature."<sup>11</sup> As petitions included in this reader demonstrate, it wrecked the plans of many slaveholders and dashed the hopes for freedom held by countless slaves. For a brief period, slave owners, by exploiting a loophole in the act, were able to send their slaves out of state to free them. The General Assembly closed this loophole in 1841.<sup>12</sup>

In 1860, South Carolina's white population numbered 291,000; its slave population numbered 402,406; and its free African American population numbered 9,914.<sup>13</sup> Many of the 400,000-plus slaves lived in wooden slave houses. In the low country, these usually had two rooms with a chimney in the middle. Each room housed one family.<sup>14</sup>

Life under slavery was violent. Captured through war or kidnapping, the slaves traveled long miles to reach slave depots on the coast of Africa. There, they were packed into slave ships, and those who survived were sold into a new life, with a new name, and a new language, in a new and alien environment.

Slave lives were constrained by the fear of punishment. Corporal retribution was delivered to those who ran away, stole, or took part in a work slowdown. Order was often maintained and dissent punished through the workhouse in Charleston, the patrol, or the Magistrates and Freeholders Courts.

To protect their slave property—the source of their wealth—slave owners led the state first to secession and ultimately to the Civil War.

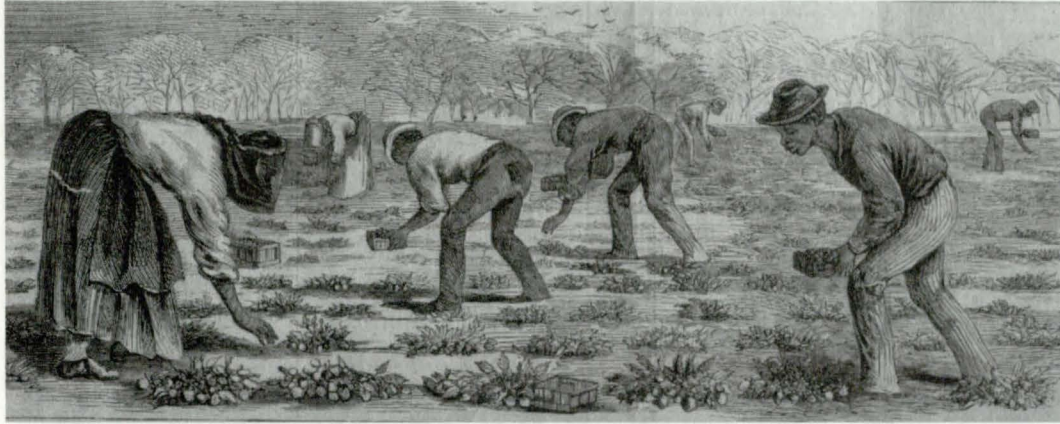
The authors selected the documents in this reader to illustrate the variety of documentary sources available in the state archives of South Carolina. These public documents provide insight into the lives and deaths of South Carolina's antebellum enslaved African American population. The documents chosen here examine religious life, crime and punishment, sexual relationships, and the struggle for family survival. Despite their variety, however, they represent only a fraction of the thousands of documents available. Consequently, they reflect only imperfectly the trials and infrequent joys of slave life in antebellum South Carolina.



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1. Walter Edgar, *South Carolina: A History* (Columbia: University of South Carolina, 1998), 73–76.
2. *Statutes at Large*, VII, 397–417.
3. Records of the South Carolina Comptroller General, Accounts Audited for Revolutionary Service, AA1213.
4. *Statutes at Large*, IV, 545.
5. Edgar, 263.
6. Edgar, 259; Edward Ball, *Slaves in the Family* (New York: Ballentine Books, 1999), 252.
7. *Statutes at Large*, VII, 431–58.
8. See, for example, Arrah, Antigua and his family, and Abraham, *South Carolina Statutes at Large*: VII, 419; IV, 545; V, 481.
9. *Statutes at Large*, VII, 442.
10. H. M. Henry, *The Police Control of the Slave in South Carolina* (New York: Negro Universities Press, 1968 Reprint of 1914 edition), 168–89.
11. *Statutes at Large*, VII, 459–60.
12. *Statutes at Large*, XI, 168–69.
13. Paul R. Begley, Alexia J. Helsley, and Steven D. Tuttle, *African American Genealogical Research* (Columbia: South Carolina Department of Archives and History, 1997 rev. ed.), 4.
14. Ball, 159, 251.

## FREEDOM OF RELIGION: PETITION OF INHABITANTS OF CHESTER DISTRICT



Few issues created as much controversy as the religious education of slaves. Some saw religious instruction as a threat to the status quo, fearing that slaves who converted to Christianity might view their slave owners as their “brothers in Christ.” Others argued for religious instruction either on humanitarian grounds or as a way to control slaves once converted. Most who argued for instruction belonged to one of two groups. One group wanted to spread the Gospel. The other wanted the slaves to strive not for freedom on earth but for life everlasting.

In the late-eighteenth century, many churches began to apply the Gospel not only to personal salvation but to societal concerns—to penal reform, to care of the indigent and mentally ill, and to slavery. In 1800, the governing body of the Methodist Episcopal Church—the General Conference—approved a resolution favoring the gradual emancipation of slaves. Slavery, it said, was “repugnant . . . to the Spirit of the Christian religion.”

South Carolina ignored this call for greater liberties for and the eventual emancipation of her enslaved population. Rather she enacted legislation in 1800 to make it illegal either before sunrise or after sunset “for any number of slaves, free negroes, mulattoes or mestizoes, even in company with white persons, to meet together and assemble for the purpose of mental instruction or religious worship.”

In 1801, over 140 citizens of Chester District protested these restrictions because they infringed “upon the religious rights and privileges of churches and citizens of this state.” This ecumenical group, who represented the sentiments of many in the Baptist and Presbyterian churches,





*Many South Carolina low country churches had substantial slave memberships before the Civil War. Slaves dressed for church, Bryan Plantation, Folly Island, South Carolina, c1860–63. Collection of the New York Historical Society.*

argued for the religious instruction of slaves because it encouraged “virtuous and religious pursuits.” The petitioners also alleged that in authorizing patrol members to break up assembled religious meetings, the act violated their civil and religious rights.

The General Assembly revised the act in 1801, but it did not address the religious prohibitions.

#### SOURCES

Louis B. Wright, et al., *The Democratic Experience: A Short American History* (Chicago: Scott, Foresman and Company, 1963).

*Statutes at Large of South Carolina*, VII, 440–43.

Records of the General Assembly, Governor’s Messages and Enclosures, 1800, no. 768.

Louise Kelly Crowder, *Tombstone Records of Chester County, South Carolina and Vicinity*, Vol. I (Chester, SC: n.p., 1970).



To the Honorable the Senate of the State of South Carolina:

*Charles District*

*The Memorial and Petition of the undersigned Inhabitants of the*

SHEWETH,

THAT however necessary and important it was to enact the law passed at the last session of the legislature, for the better governing of negroes and other persons of colour; yet your memorialists consider this law as in some respects intruding upon the religious rights and privileges of churches and citizens of this State, whose principles and conduct are most friendly to its civil, political and domestic interests; by the restrictions it lays on them, respecting the time and manner of giving religious instruction, to the persons whose situation is contemplated in the act; and by exposing said churches to the danger of interruption and insult, from the rudeness of persons who move in the lowest spheres of authority, whenever they choose to appear as the enforcers of law:

THAT the act appears to look with an unfavorable aspect on religious instruction, as though it tended to inspire the minds of domestic slaves with sentiments unfriendly to subordination and peace; whereas, it is certain, that the plain doctrines and positive precepts of Christianity, as professed and supported by the great body of our citizens, have a direct contrary tendency, and do actually produce different effects:

THAT there is great reason to fear, that by the aforesaid severe restrictions imposed in this act, it will have a strong indirect tendency to produce the evil it was designed to prevent; by making that class of the negroes who value religious privileges, and are disposed to support good principles, feel unhappy, and consider themselves oppressed; by tending to take away that security which the citizens have in the attachment and fidelity of such, which attachment and fidelity are greatly secured by their being encouraged in their truly virtuous and religious pursuits; by preventing the beneficial effects which their influence is known to have on the other classes; and by exposing themselves, finally, to the danger of seduction, from the arts of those who plan schemes of mischief:

THAT your memorialists are sensible, that this subject, as it applies to the citizens of this State, in their existing circumstances, is delicate; and they are far from thinking that legislative authority should not be employed in guarding against the dissemination of sentiments, though done under the pretence of religion, which would in their operation, destroy the foundations of peace and social order; but they must think, that policy, as well as justice, requires that a proper discrimination should be made between the innocent and those of an opposite character; of which discrimination, known principle and conduct form the true criterion.

*Your memorialists therefore, recommend and request,*

THAT the aforesaid act may be revised, and such alterations introduced into it, as may relieve the virtuous citizens from the embarrassments complained of, and leave their religious liberties unimpaired.

*Jarvis H. Edwards*

*John Beckett*



J. M. Creamy  
 Joseph Gaston Jr.  
 John Wilson  
 Thomas Stanford  
 George Stanford  
 John Brown  
 J. M. Creamy  
 Ralph Menden  
 John Ferguson  
 James Gilmore  
 Thos. Gauthier  
 Robert McHenry  
 David Hyatt  
 William Ferguson  
 Abraham Ferguson  
 Elijah Hyatt  
 James Ferguson  
 Adams Ferguson  
 Thomas Henderson  
 James Hudson  
 Jarrett Edwards  
 John Barber  
 Adams Ferguson  
 Sml Bradley  
 Joseph Edwards  
 James A. Keale  
 Peter Sanderson  
 James Ferguson  
 St. John Drinkings  
 Francis Ferguson  
 Henry Ferguson  
 John Collins  
 William Harman  
 John Keale  
 Stephen Blesitt  
 John Wall  
 Joseph B. Brown  
 J. M. Brown  
 Matthew Harbison  
 John Bankhead  
 Eben Elliott  
 Sam Eccles  
 John Keim  
 Robert Boyd  
 Robert Gaston  
 William McAmmon  
 Robert Harbison  
 John Carver  
 James Douglas  
 John Fairley  
 Thomas Fairley  
 William Miller  
 John Hemphill  
 Austin Culp  
 Robert Brown  
 James M. Chier  
 Edward Fadden  
 Jas. M. Fadden  
 Robt. Millin  
 Thomas Gillespie  
 William Knox  
 John M. Fadden  
 John Chapp



# PETITION OF INHABITANTS OF CHESTER DISTRICT

George Wier	William Byham	John Brown
Alex Walker	David Martin	Robert Brown
John Gaston	John Adams	Geo Dunn
Hugh Whitlock	Samuel Mott	Sho Nedy
John Douglas	Francis King	Benjamin Rivers
Samuel Gmelin	Samuel McCallough	William McKenna
William Rainey	Martin King	David Douglas
James McDaniels	Robert Smith	John Morris
Thomas Ewart	Robert Garrison	James Wier
Alexander Parkison	Andrew McParry	Robert Stinson
Geo Hamilton	Jr. Parkison	Joseph Williams
John Parkison	Benjamin Morris	James Tappan
Alex English	Elizabeth Morris	John Agnew
James Hill	James A. Davis	James Black
John Hill	John Patterson	David Stroud
Samuel Hill	Joseph Tappan	Thomas Broadbent
William Hill	John Rodney	John Morris
Robert Patterson	John Rodney	John Mitchell
Robert Miller	John Rodney	John Rodment
Charles Miller	John Rodney	John Broadbent
John Miller	John Rodney	
William Gaston	John Rodney	
John Gaston	John Rodney	
James Elliot	John Rodney	
John Coulter	John Rodney	
Joseph Weir	John Rodney	
Wm Mcgarity	John Rodney	
Geo Harrison	John Rodney	
Geo Harrison	John Rodney	
John Weir	John Rodney	

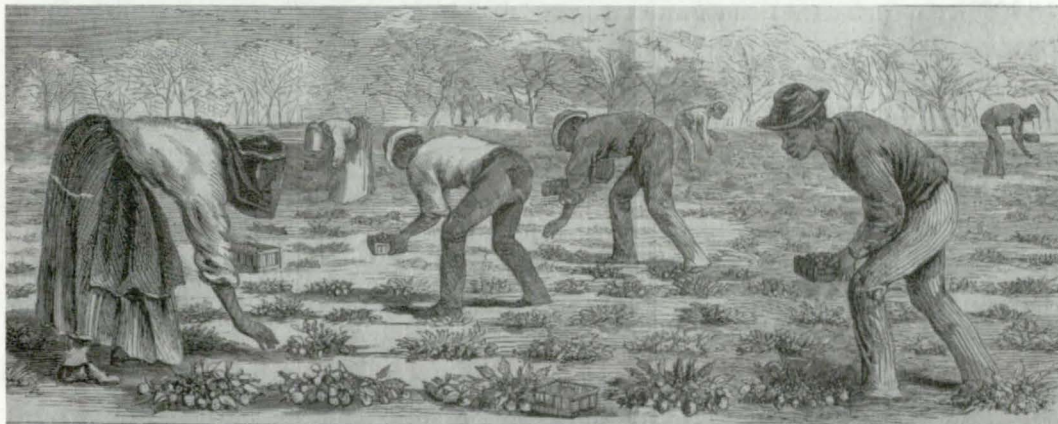
Records of the General Assembly, Petitions, 1801, no. 122.





*Slave quarters, Perseverance Plantation, Goose Creek Parish, South Carolina, ca.1860-63.  
Collection of the New York Historical Society.*

**"WHERE THERE'S A WILL, THERE'S A WAY":  
PETITION TO THE SENATE FROM JOHN CARMILLE**



John Carmille's petition reflects the poignancy of the situation forced on many slaves and their owners by the complexity of their social interaction. It also illustrates the genuine affection that could flourish in such an unpromising environment. Carmille, like many other slaveholders, was caught by surprise when the General Assembly passed the 1820 legislation requiring legislative approval for all manumissions. When the General Assembly rejected his 1821 petition to free his slave mistress and their three children, Carmille did what many other owners did—he pursued alternatives to provide for his slave family.

On 26 February 1830, Carmille deeded his slave mistress, Henrietta, and her children to George Pringle and Philip Chartrand "on the special trust, confidence and condition, that they will . . . permit and suffer the negroes above named . . . to work out their own maintenance and support; and further, in trust, to allow them, the said negroes, . . . to receive and take, for their sole use and benefit, all such money as they might obtain for their labor." In return, his slave family would give Pringle and Chartrand one dollar per year. Carmille deeded his remaining slaves, Tilly and Mary, to Pringle and Chartrand as well. In an ironic twist, Tilly and Mary were to provide the labor to support his slave family until the youngest child reached twenty-one years of age. Then Tilly and Mary were to be sold, and the proceeds were to be divided equally between Henrietta and her children.

To document his intentions and to protect his slave family further, Carmille wrote a will on 17 July 1832. In it, he left his estate—a house and lot on Meeting Street and 111 acres in Goose Creek—to Henrietta and her children. He also asked his executors to get the General Assembly to manumit the family within



fifteen years or, failing that, to send them out of South Carolina to a state where they could be freed.

When John Carmille died in July 1833, this will was set aside. For on 2 March 1830, he had married Margaret Arnott who, before she died ten months later, produced a legitimate heir.

Under the terms of the deeds, which the trustees recorded on 22 July 1833, Henrietta, and her now four children—Charlotte, Francis, Nancy, and John—became the property of George Pringle and Philip Chartrand when Carmille died. Julia E. Carmille, Carmille's legitimate heir, sued to negate the deeds and to have all seven slaves returned to the Carmille estate for her use. In 1840, however, the South Carolina Court of Appeals upheld the validity of both the deeds and the trust and ruled against Julia Carmille's suit to have the four other Carmille children declared slaves of the estate so they could be sold for her benefit. Through a quirk in the law, Carmille's wishes were granted.

The next year, the General Assembly would pass legislation that would close the loophole that had let those wishes prevail.

---

#### SOURCES

H. M. Henry, *Police Control of the Slave in South Carolina* (New York: Negro Universities Press, 1968. Reprint of 1914 edition), 168–74.

*Statutes at Large*, VII, 459.

"*Julia E. Carmille vs. The Administrator of John Carmille, Geo. Pringle, et al.*" Cases at Law, argued and determined in the Court of Appeals of South Carolina, from November 1840 to [May 1842] Columbia: A. S. Johnston, 1841–1843, 454–72.

To the Honourable the Senators & Members of the Senate of the State of South Carolina—

The Petition of John Carmille respectfully sheweth: That he is a resident in the city of Charleston in the said State & that for many years past has endeavored to conduct himself as an upright & unprejudiced citizen. That some years ago it was his fortune to form a domestic connection with a female named Henrietta & he has had by her three children to wit: Charlotte, Thomas & Nancy. That the said Henrietta & her children are of the following ages to wit: Henrietta, twenty six. Charlotte, eleven, Thomas five, and Nancy three years of age all of the class called Mulattoes, & according to the Laws of this State in the condition of absolute Slaves, the property of your petitioner. Your Petitioner is aware that in making the above statement, he is open to censure or infringing the rules of propriety & decorum. He has however no alternative but to make the present application or he remains indifferent to the present melancholy situation of his family, who are excluded as they are from the blessing of society, are still dear to your Petitioner & dependent on him for those comforts which the policy of our Laws may afford to that class of the community. The object of the Petitioner is to solicit that you would kindly interpose & adopt such measures as may effect the emancipation of the said slaves and as an inducement to a result which would be so grateful to the feelings of your Petitioner he begs leave to state, that he has always been his intention to devote the legal means for the accomplishment of the above object until he was unfortunately disabled by the loss of the last leg. He therefore indulges the fond hope that a proceeding of the Legislature to empower him will not be permitted to have the deplorable effect of rivetting on his heart & children the bonds of perpetual & remediless slavery. As a further con-

Records of the General Assembly, Petitions, n.d., no. 1807. (Submitted to the Senate on 27 November 1821.)



= consideration which his friends will be duly regarded by your  
honorable Body - Your Petitioner has been blessed with a  
sufficient Estate to insure the comfortable maintenance of  
his said family, so that no apprehensions can be entertained  
that they will ever become a charge on the Public - Thus  
on the contrary his constant efforts will be employed to sup-  
-port them decently & make them useful members of Society -  
And your Petitioner will ever pray &c -

John Carmille

We the Subscribers hereby certify that we are acquainted  
with the within Petitioner Mr. John Carmille & believe  
him to be an upright & honest citizen & that he has a suf-  
-ficient Estate to maintain his family as therein referred to -

Wm. N. Gibby.

Dr. Schults

Ja<sup>s</sup>. Lowndes  
Chas<sup>r</sup>. Rowand

John Aume



To the Honorable the President & Members of the Senate of the State of South Carolina

The Petition of John Carmille respectfully sheweth that he is a resident in the city of Charleston in the said state & that for many years past has endeavored to conduct himself as an upright & useful citizen—That some years ago it was his fortune to form a domestic connection with a female named Henrietta & he has had by her three children to wit: Charlotte, Frances & Nancy. That the said Henrietta & her children are of the following ages to wit: Henrietta, Twenty Six Charlotte, Eleven, Frances five, and Nancy three years of age all of the class called Mulattoes, & according to the Laws of this state in the condition of absolute Slaves, the property of your petitioner—Your Petitioner is aware that in making the above statement, he is open to censure as infringing the rules of propriety & decorum—He has however no alternative but to make the present application or to remain indifferent to the present Melancholy situation of his family, who excluded as they are from the blessing of Society, are still dear to Your Petitioner & dependent on him for those comforts which the Policy of our Laws may afford to that class of the community—The object of the Petitioner is to solicit that you would kindly interpose & adopt such measures as may effect the emancipation of the said slaves and as an inducement to a result which would be so grateful to the feelings of Your Petitioner he begs leave to state, that it has always been his intention to adopt the legal means for the accomplishment of the above object until he was unexpectedly disabled by the act of the last session—He therefore indulges the fond hope that a proceeding of the Legislature so unforeseen will not be permitted to have the deplorable effect of rivetting on his partner & children the bonds of perpetual & remediless slavery—As a further consideration which he trusts will be duly regarded by your honorable Body—Your Petitioner has been blessed with a Sufficient Estate to insure the comfortable maintenance of his said family, so that no apprehensions can be entertained that they will ever become a charge on the Public—That on the contrary his constant efforts will be employed to support them decently & make them useful members of society—

And your Petitioner will ever pray &c—

John Carmille

We the subscribers hereby certify that we are acquainted with the within Petitioner Mr. John Carmille & believe him to be an upright & honest citizen & that he has a sufficient Estate to maintain his family within refered to

Rob<sup>t</sup> R. Gibbes et al

*Records of the General Assembly, Petitions, n.d., no. 1807. (Submitted to the Senate on 27 November 1821.)*

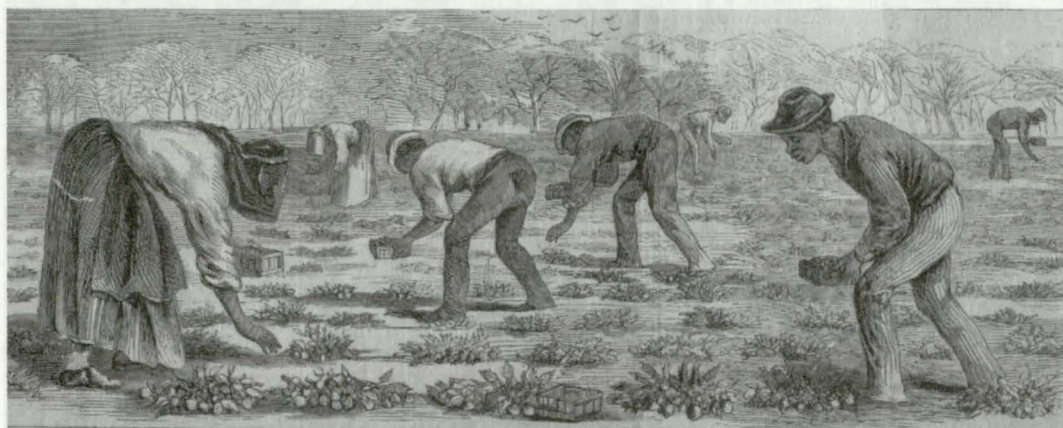




*Slave cabins and avenue, McLeod Plantation, Charleston County, South Carolina. State Historic Preservation Office, National Register of Historic Places, South Carolina Department of Archives and History (SCDAH).*



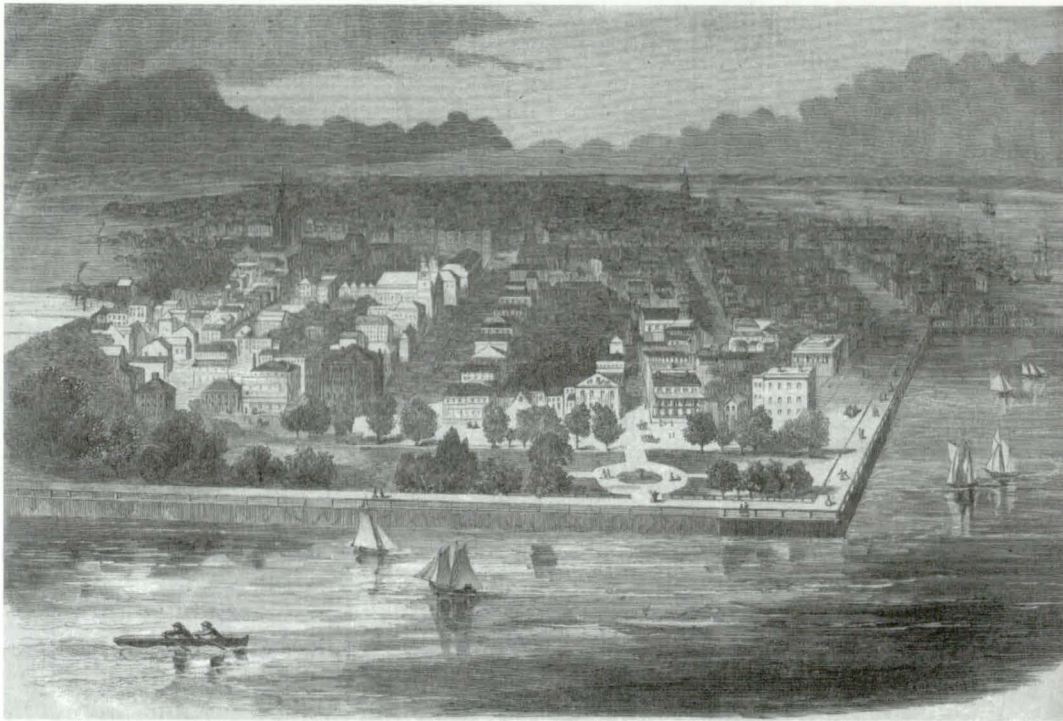
## CONTRACTING FOR FREEDOM: PETITION OF FREDERICK KOHNE



This document illustrates another problem that arose from the 1820 legislation banning slave manumissions by slaveowners. Here, Frederick Kohne hopes to fulfill a contract he made with his slave, which the legislation had superseded. Although similar oral agreements may have been made by other slave owners, the "solemnly executed" written document referred to in this case, which binds the two men contractually, symbolically places the slave, Will, on equal footing with Frederick Kohne. This petition shows not only that Will kept his end of the agreement but that Kohne intended to keep his as well.

Although the origins of Frederick Kohne are sketchy, he probably came from Westphalia of the Germanic kingdoms. He had established himself as a merchant in Charleston by 1793 and in the same year had taken an oath of allegiance to his new homeland. He was a successful businessman, establishing several stores on East Bay Street and eventually owning several houses in Charleston. In 1807, he married Eliza Neufville, who was a member of a prominent Charleston family. By 1816, Kohne had enough wealth to retire. He established a part-time residence in Philadelphia and split his time between the two cities. Kohne and his wife were active in the Episcopal Church, holding pews in both St. Michael's of Charleston and St. James' of Philadelphia. Both also helped the needy and during their lifetimes manumitted numerous slaves. When Kohne died on 26 May 1829, he made specific large bequests to family and to charities such as the Charleston orphan house and various church societies. He placed the rest of his estate in a trust. His executors were to use funds from that trust to make donations to charities they deemed beneficial to mankind in general and to the colored population of Charleston and Philadelphia in particular.





*The City of Charleston, South Carolina, looking at the Battery. Harper's Weekly, 21 April 1860. Picture Collection, SCDAH.*

This petition appears to have been grouped with the petitions of John Carmille, Philippe Noisette, and several other 1821 requests to the legislature for manumission. A bill allowing the manumission of Will—one of the few the House committee drew up in favor of manumission, was killed in the Senate. In 1824, however, Kohne declared one of his slaves, William Hazard, free and arranged for his removal from the state in the event Kohne died. In his will, Kohne bequeathed annuities to William Hazard and to several of his servants. Hazard

#### SOURCES

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Charleston County, *Records of the Probate Judge, Wills* (WPA Transcripts), Vol. 45, 694–702.

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James W. Hagy, *People and Professions of Charleston, SC 1782–1802* (Baltimore: Clearfield Company, 1992), 41, 55.

South Carolina Secretary of State: *Index to Miscellaneous Records, 1729–1825*, Vol. IV (H–M), 144b, 146b; *Miscellaneous Records*, Vol. 5C, 225–26.

South Carolina General Assembly: *Journal of the House of Representatives, 1821*, 102–3; *Journal of the Senate, 1821*, 155.



To the Honorable the President & Members  
of the Senate  
of South Carolina.

The Petitioner of Frederick Kohne  
of the said State Respectfully Sheweth:  
That in consequence of the general good character  
and conduct of a certain negro Slave named  
Will. your Petitioner on the twenty second day  
of May Eighteen Hundred & Sixteen purchased  
the said Will. and then & there covenanted and  
agreed in writing solemnly executed to secure  
to the said Will. his freedom from Slavery  
in consideration that he the said Will. would  
pay to your Petitioner the sum of Three hun-  
dred Dollars, and continue to serve your Peti-  
tioner for four years & two months from the date  
aforesaid. That the said Servant Will. has in  
performance of his undertaking paid to your  
Petitioner the sum of money contracted for and  
faithfully & in the most exemplary manner  
served your Petitioner for the space of four years  
and two months: Wherefore he in strict com-  
pliance with the contract ought rightfully  
to have been emancipated on the twenty  
second day of May Eighteen Hundred & Twenty  
But your Petitioner was then unable to comply  
with the terms of contract by reason of his  
absence from the State: and on the return of  
your Petitioner he was prevented from the

Records of the General Assembly, Petitions, 1821, no. 100. (Submitted to the Senate on 28 November 1821.)



performance of his agreement because of the act  
of your Honorable body of December eighteen hun-  
dred and twenty, except under the special sanction  
of the Legislature. Your Petitioner therefore prays  
for such special sanction in relief of his sacred  
obligation, and that your honorable body will  
in consideration of the premises and of the Testi-  
monials of good Character & Industry he wrote  
annexed manuscript or cause to be transmitted  
the said Servant Will in such manner as to  
your honorable body shall seem fit: and  
your Petitioner will ever pray and report.

Fredrick Kohne

We do hereby certify to the Senate of South Carolina  
that we have been acquainted with the said Negro  
Slave Will. For more than Eight or Ten years past  
during which time he has conducted himself in a  
 sober honest and becoming manner, we believe  
his character for industry unequalled by most of his  
Color — Charleston 28<sup>th</sup> November 1821 —

W. Campbell  
J. W. Campbell

Records of the General Assembly, Petitions, 1821, no. 100. (Submitted to the Senate on 28 November 1821.)



To the honorable the President & Members  
of the Senate  
of South Carolina

The Petition of Frederick Kohne of the said State Respectfully Sheweth: That in consequence of the general good character and conduct of a certain negro Slave named Will your Petitioner on the twenty second day of May Eighteen hundred & Sixteen purchased the said Will and then & there covenanted and agreed in writing solemnly executed to secure to the said Will his freedom from slavery in consideration that he the said Will would pay to your Petitioner the sum of Three hundred Dollars, and continue to serve your Petitioner for four years & two months from the date aforesaid, That the said Servant Will has in performance of his undertaking paid to your Petitioner the sum of money contracted for and faithfully & in the most exemplary manner served your Petitioner for the space of four years and two months: Wherefore he in strict compliance with the contract ought rightfully to have been emancipated on the twenty second day of July Eighteen hundred & twenty But your Petitioner was then unable to comply with the terms of contract by reason of his absence from the State: and on the return of Your Petitioner he was prevented from the performance of his agreement because of the act of your Honorable body of December Eighteen hundred and twenty; except under the special sanction of the Legislature: Your Petitioner therefore prays for such special sanction in relief of his sacred obligation: and that your honorable body will in consideration of the promises and of the Testimonials of good Character & Industry hereunto annexed manumit or cause to be manumitted the said Servant Will in such manner as to your honorable body shall seem fit: and Your Petitioner will ever pray and soforth.

Frederick Kohne

We do hereby certify to the Senate of South Carolina that we have been acquainted with the said Negro Slave Will for more than Eight or ten years past during which time he has conducted himself in a Sober honest and becoming manner. We believe his character for industry unequaled by most of his Color

\_\_\_\_\_ Charleston 22<sup>d</sup> November 1821 \_\_\_\_\_

WJ. Campbell  
JM Campbell

*Records of the General Assembly, Petitions, 1821, no. 100. (Submitted to the Senate on 28 November 1821.)*



# GANG OF 25 SEA ISLAND COTTON AND RICE NEGROES,

By LOUIS D. DE SAUSSURE.

On *THURSDAY* the 25th Sept., 1852, at 11 o'clock, A.M., will be sold at RYAN'S MART, in Chalmers' Street, in the City of Charleston,

*A prime gang of 25 Negroes, accustomed to the culture of Sea Island Cotton and Rice.*

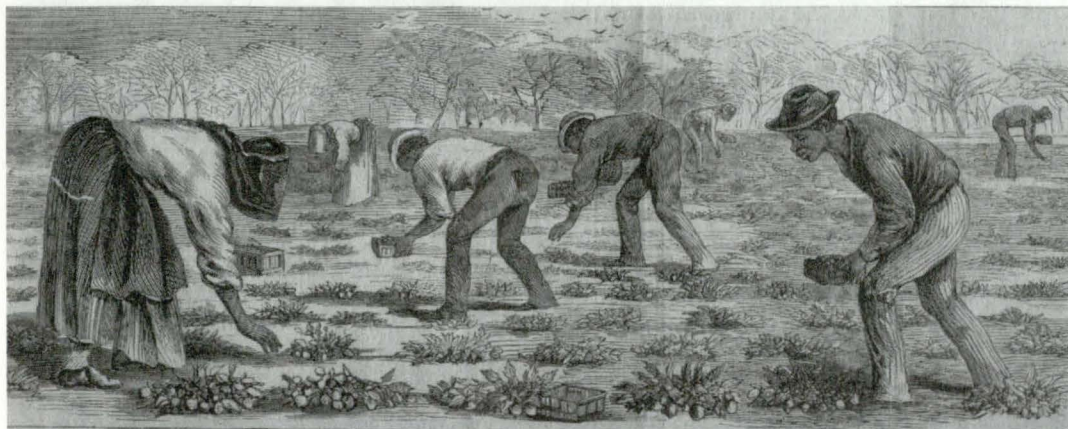
CONDITIONS. — One-half Cash, balance by Bond, bearing interest from day of sale, payable in one and two years, to be secured by a mortgage of the negroes and approved personal security. Purchasers to pay for papers.

No.	Age.	Capacity.	No.	Age.	Capacity.
1 Aleck,	33	Carpenter.	16 Hannah,	60	Cook.
2 Mary Ann,	31	Field hand, prime.	17 Cudjoe,	22	Prime field hand.
3—3 Louisa,	10		3—18 Nancy,	20	Prime field hand, sister of Cudjoe.
4 Abram,	25	Prime field hand.	19 Hannah,	34	Prime field hand.
5 Judy,	24	Prime field hand.	20 James,	13	Slight defect in knee from a broken leg.
6 Carolina,	5		21 Richard,	9	
7 Simon,	1½		22 Thomas,	6	
5—8 Daphne, infant.			5—23 John,	3	
9 Daniel,	45	Field hand, not prime.	1—24 Squash,	40	Prime field hand.
10 Phillis,	32	Field hand.	1—25 Thomas,	28	Prime field hand.
11 Will,	9				
12 Daniel,	6				
13 Margaret,	4				
14 Delia,	2				
7—15 Hannah,	2 months.				

One poignant result of slavery was the sale—and possible dissolution—of slave families. Sale bill. Singleton Papers #668, Fol 271. Southern Historical Collection, the Library of the University of North Carolina.



## TO LEAVE A LEGACY: PETITION OF PHILIPPE STANISLAUS NOISETTE, BOTANIST



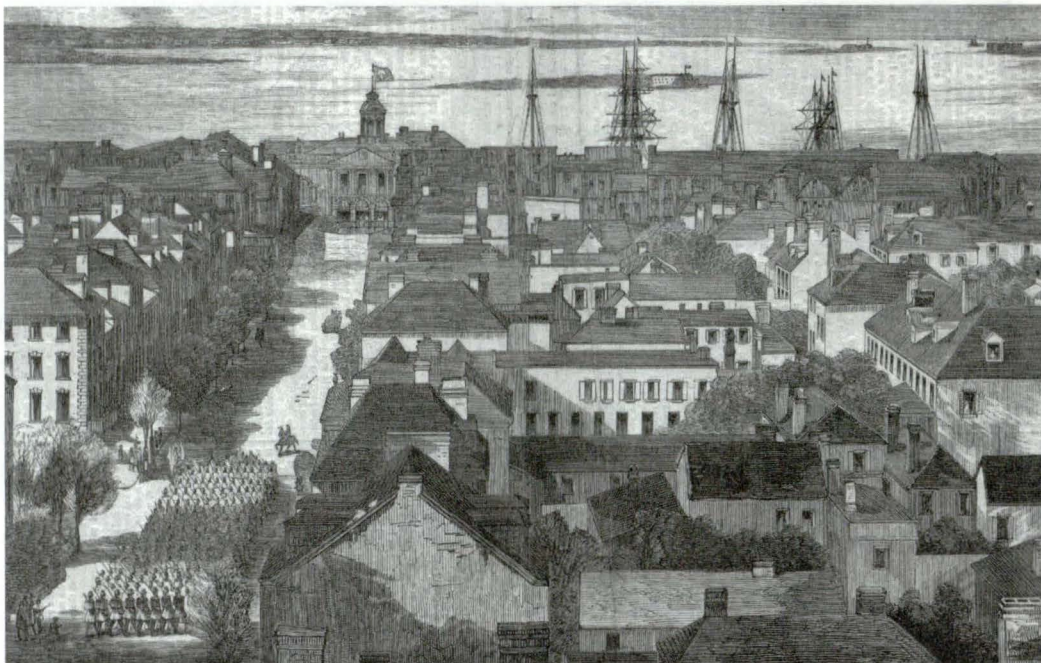
According to family tradition, Philippe Stanislaus Noisette was born in France about 1767. His father, Joseph, is said to have served as keeper of Louis XVI's properties and to have fathered seventeen children, many of whom perished in the Napoleonic wars. About the time of the French Revolution, Noisette immigrated to Saint Domingue, where he acquired a mestizo wife. In 1794, following the slave revolt, he moved with his wife to the United States.

The documentary records in South Carolina yield no information on Noisette until 1807, when he purchased a mulatto woman named Celestine and her two children, Philippe and Alexander. His name appears in the 1809 *Charleston City Directory*. It shows him living in the fashionable suburb of Hampstead and lists his occupation as a gardener and director of the Botanical Society. Noisette made a name for himself as a botanist and naturalist. He collected plant specimens for his nursery and snake and insect specimens, which he kept in spirits of wine. He also developed thirty varieties of roses, which gained popularity worldwide.

The General Assembly's revision of the emancipation laws in 1820 led to this petition. It was introduced in the House and Senate on 4 December 1821 and, with similar petitions, was considered by special committees. The House committee believed that granting such a request would "sanction an intercourse repugnant to morality & the best interest of society." Lamenting such situations and moved by compassion, the committee said it could allow the manumission on the condition the slaves left the state but thought its sanction unnecessary since Noisette, himself, could remove his family and set them free.

The 1830 census shows Noisette as the sole white or free person in his household; eight slaves are listed, including one adult female. Noisette died on 7 April 1835. In





*The City of Charleston, South Carolina, looking down Broad Street toward the Custom House. Harper's Weekly, 26 January 1861, 61. Picture Collection, SCDAH.*

his will, he acknowledged he was the father of Celestine's children and asked his executors to take Celestine and the children out of South Carolina to a state where they could be freed. Later, the children petitioned the General Assembly. They said the will was legal, they were free, and they wished to remain in South Carolina.

By 1841 in an action that indicates he considered himself free, one son, Alexander, was purchasing land through a trustee. He established a nursery on a large tract of land on Charleston Neck, and that land remained in the family until the mid-twentieth century. Around 1848, the Free Negro Tax Books began listing the names of several of the Noisette children.

#### SOURCES

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Charleston County, Records of the Probate Judge, Will Books, Vol. H., 101.

*Statutes At Large*, VII, 459.

Jay Shuler, *Had I the Wings: The Friendship of Bachman and Audubon* (Athens, Ga.: University of Georgia Press, 1995).

United States Bureau of the Census, Population Schedules, Charleston District, South Carolina, 1830, 143.



The State of South Carolina

To the Honorable The President and the  
Honorable the Senate of the State of South  
Carolina

The Humble Petition of Philippe  
Stanislaus Noiset, Botanist of Charleston  
in the State aforesaid

Sheweth,

That

Your Petitioner who has been actively  
and he trusts usefully employed for many years  
past as a Botanist in the neighborhood of  
Charleston has, under peculiar circumstances,  
become the Father of ~~Six~~ Children begotten  
upon his faithful Slave named Celestine.  
That it has been the intention of your Peti-  
tioner for many years past by complying  
with the then existing Laws of this State, to  
emancipate the said Celestine and such of  
his Children as were then alive and could be  
emancipated, but unfortunately, he procras-  
tinated the measure, until after the passage  
of the late Law upon this subject. Your  
Petitioner submits to your Honorable Body,  
that his situation is peculiarly unfortunate  
and

Records of the General Assembly, Petitions, n.d. no. 1880. (Submitted to the  
Senate on 4 December 1821.)



and distressing as under the existing Laws,  
should any accident befall him, his own children  
and their mother, who by his exemplary conduct  
is well entitled to her freedom, would probably  
all become the Slaves of another. Your Petitioner  
therefore humbly prays Your Honorable Body  
that he may be relieved from the distressing  
situation in which he finds himself placed, and  
considering that the said Celestine is the Slave of  
Your Petitioner, and that Your Petitioner, circum-  
stances are such as to preclude the apprehension  
of the said Celestine or her children being  
burthen upon the public, that an act may be  
passed emancipating the said Celestine, and her  
children Philippe, Alexander, Pierre Louis,  
Melanie, and Josephine, and Louise, and  
Your Petitioner will ever pray -

Philippe Stanislas Noiset

Records of the General Assembly, Petitions, n.d. no. 1880. (Submitted to the Senate  
on 4 December 1821.)



We the subscribers do hereby certify that we  
 have known the Petitioner M<sup>r</sup> Noisette for many years  
 and that his circumstances are such as he has stated  
 therein in his foregoing Petition. We further think  
 that his case is one of those, which should form  
 an exception in the class of cases intended to be  
 guarded against by the Legislature, and recommend  
 him to the consideration and favor of the Legislature.

Wm. H. Gibbs J. L. Signe  
 Jos. Johnson J. M. G. G.  
 F. Alon J. G. G.

J. R. G. Moore

Records of the General Assembly, Petitions, n.d. no. 1880. (Submitted to the Senate  
 on 4 December 1821.)



The State of South Carolina

To the Honorable The President and The Honorable the Senate of the State of South Carolina

The Humble petition of Philippe Stanislaus Noisette, Botanist of Charleston in the State aforesaid-

Sheweth,

That

Your Petitioner who has been actively and he trusts usefully employed for many years past as a Botanist in the neighbourhood of Charleston, has, under peculiar circumstances become the Father of Six children begotten upon his faithful Slave named Celestine. That it has been the intention of your petitioner for many years past by complying with the then existing Laws of this State, to emancipate the said Celestine and such of her children as were then alive and could be emancipated, but unfortunately, he procrastinated this measure, until after the passage of the late Law upon this subject—Your Petitioner submits to your Honorable Body, that his situation is peculiarly unfortunate and distressing as under the existing Laws, should any accident befall him, his own children and their mother, who by her exemplary conduct is well entitled to her freedom, would probably all become the Slaves of another: Your Petitioner therefore humbly prays Your Honorable Body, that he may be relieved from the distressing situation in which he finds himself placed, and considering that the said Celestine is the Slave of your petitioner, and that your Petitioners circumstances are such as to preclude the fear of the said Celestine or her children becoming a burthen upon the public; that an act may be passed emancipating the said Celestine, and her children: Philippe, Alexander, Pierre Louis, Melanie, and Josephine, and Louise, and Your Petitioner will ever pray—

Philippe S<sup>las</sup> Noisette

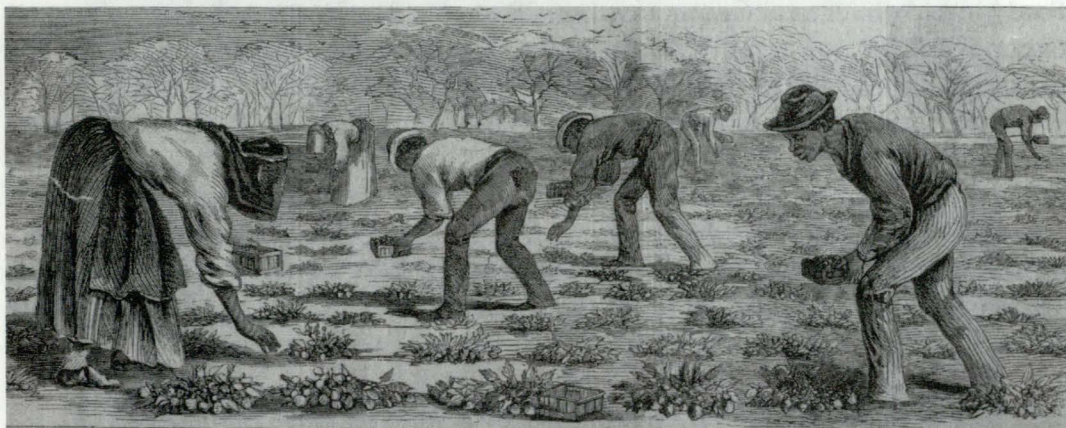
We the subscribers do hereby certify that we have known the Petitioner Mr Noisette for many Years and that his circumstances are such as he has stated them in his foregoing Petition. We further think that his case is one of those, which should form an exception [to?] the Class of Cases Intended to be guarded against by the Legislature and recommend him to the consideration and favor of the Legislature.

*Records of the General Assembly, Petitions, n.d. no. 1880. (Submitted to the Senate on 4 December 1821.)*



PETITION OF INHABITANTS OF CLAREMONT, CLARENDON, ETC.

## PRICE OF FREEDOM—PETITION OF INHABITS. OF CLAREMONT, CLARENDON, ST. JOHNS, ST. STEVENS, AND RICHLAND



As early as 1765, maroon, or escaped slave, camps were known to have been set up on South Carolina's frontier. South Carolina's swamplands were also potential havens—the "numerous marshes, swamps, inlets, and tidal basins" of the low country being particularly desirable. Over time, hundreds, perhaps even thousands, of escaped slaves formed small settlements in isolated areas and plundered nearby plantations for supplies. The records describe various expeditions and bloody skirmishes to eradicate these settlements.

This 1824 petition records the demise of one such maroon camp and the role a Mrs. Perron's slave Royal played in in the capture of Joe. According to the petitioners, Joe, or Forest, who belonged to Mr. Carroll of Richland District, had escaped to the Santee Swamp after killing a white man near Georgetown. In his four years of freedom, Joe had avoided capture and executed raids on the surrounding countryside. The petitioners saw as his greatest offense the example his exploits set for other slaves. It would, they feared, "produce insubordination and insurrection." Perhaps reluctantly, they also acknowledged his skill and courage, and his charismatic ability to inspire other runaways.

Claremont, Clarendon, and Richland were three of the seven counties that had been created from Camden District in 1785. In 1800, Claremont, Clarendon, and Salem Counties had become Sumter District. St. Stephens and St. Johns Berkeley were the two parishes that lay directly south of the Santee River.

A check of Mills Atlas suggests that Joe's owner, Carroll, may have lived in Richland District on Tom's Creek, a tributary of the Santee River. The 1820 census index shows that most of the identifiable petitioners lived in Sumter or Charleston District. The 1820 census for Richland District identifies at least two



individuals—Jacob Carrell or John Carrell—as potential owners of Joe. The only Perron or Perrin indexed in Richland District in 1820 is Christian Perrin.

Joe, with or without accomplices, was charged with murdering George R. Ford at Black River near Georgetown on 28 May 1821. Governor Thomas Bennett expended \$500 for a militia detachment under Capt. Huggins to pursue the miscreants through the Santee swamps for two weeks.

The Senate referred the petition to the Committee on Claims, which reported favorably on 11 December 1824. Citing the great villainy Joe and his followers had perpetrated in that “quarter of the State” and the state’s policy of “rewarding those slaves who thus distinguish themselves,” the committee recommended that Col. Edward Richardson contact Mrs. Perrin, calculate the purchase price for Royal, and report to the legislature at its next session. The Senate agreed to this report and sent it to the House of Representatives.

#### SOURCES

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George C. Rogers, Jr., *The History of Georgetown County, SC* (Columbia: University of SC Press, 1970), 224. *Mills’ Atlas of South Carolina, 1825* (Easley: Southern Historical Press, 1980 Reprint).

South Carolina General Assembly, *Journals of the Senate*, 22 November–18 December 1824, 139–40, 22.

United States Bureau of the Census, Population Schedules, Richland County, South Carolina, 1820, 91, 96.



To the honourable, The President and  
The Senate of the Legislature of the  
State of South Carolina

We the subscribers Petitioners inhabitants  
of Claremont, Clarendon, St. James, St.  
Peters and Richland Districts beg leave  
to offer to your honourable and enlighten'd  
Body, the following Narrative as containing  
the grounds of their most reasonable petition.  
It is now some years since Mr. Tola a  
highly worthy and respectable Citizen of  
this State was murdered some where  
not far from Georgetown S.C. - by a  
negro belonging to Mr. Canale of Rich-  
land District named Joe (or Fred)  
We believe that unhappy occurrence happened  
under the Executive administration of the hon-  
ourable Thomas Bennett. The relatives of Mr.  
Tola offered liberal reward for the apprehen-  
sion of this out lawed fellow. The Executive  
offered an appropriate reward also, but not  
the reputation of the private reward, nor  
the public reward of the Governor, nor  
both combined could <sup>ever</sup> be capture. He  
was so cunning and artful as to elude  
pursuit and so daring and bold at  
particular times when no force was at  
hand as to put every thing at defiance.  
Emboldened by his successes and this seeming  
good fortune he plunged deeper and deeper

Records of the General Assembly, Petitions, n.d., no. 1801. (Submitted to the  
Senate on 9 December 1824.)



wild. Crime <sup>with</sup> the fear of danger could deter  
 him first from the attempt and then from ex-  
 -tending a train of mischief we believe quite without  
 a parallel in this country.  
 Most of the runaways ~~flow~~ to his camp and he soon  
 became their head and their life. He had the art  
 to address to inspire his followers with  
 the most wild and dangerous enthusiasm.  
 Such was his cunning that he got off the inter-  
 -prises for mischief planned by himself ~~with~~  
 of success. We believe that nearly four years  
 have now elapsed (since the murder of  
 M. Fack, the whole of which time, until his  
 violent death was marked by crimes, by mis-  
 -chiefs and by the dissemination of notions  
 the most dangerous among the blacks  
 in the sections of the country. Such as were calen-  
 -dared in the mind to produce insubordination and  
 insurrection with all the heinous train of evils that  
 usually follow. Such at length began as we be-  
 -lieve to be the danger arising from the power and  
 influence of this example and such we believe  
 were the indications given of a growing insur-  
 -rection, that we deemed it ~~expedient~~ <sup>expedient</sup> to call on  
 the proper Military Department to send an  
 adequate force either to capture or destroy a su-  
 -perior of enemy that kept our families and neigh-  
 -bourhoods in a constant state of uneasiness  
 and alarm. This proper and justifiable ap-  
 -plication for assistance being disregarded, we made  
 direct application to the Command-in-Chief  
 who taking no notice of our appeal to him  
 we were compelled as we concluded from the  
 necessity of the case to associate together for  
 the purposes of domestic safety and for the  
 object of impressing our blacks with proper fear  
 by the power of wholesome example.

Records of the General Assembly, Petitions, n.d., no. 1801. (Submitted to the Senate on 9 December 1824.)



We cannot but think that the State Authorities as well Civil as Military were bound not only to have aided and assisted in carrying out these most laudable views but that they were bound also without delay to have attended to the peace and protection of an important and interesting Section of the State of South Carolina; for it is held as a just and fundamental maxim of Government that States are bound to give to their Citizens as adequate protection as possible in case of all manner of danger. We organized several Companies as Infantry, from among our associations and being prepared for some days active service under a person chosen to Command us a many of us (swam) from the confluence of the two rivers that form the Murren Ferry a distance even by land of sixty miles. Notwithstanding however the zeal and alacrity with which we continued pursuit we should at length, opposed by the sultry sun of ~~October~~ 1823, wearied down by excessive fatigue and undisciplined by the number, extent and character of their places of retreat and concealment. ~~They~~ have abandoned ~~their~~ enterprise asking liberty, nothing but disappointments to ourselves and a triumph to the objects of our pursuit, but for the fidelity of a State belonging to Mr. P. R. R. of Richland District Samuel Royal. He in perfect good faith conducted a select party of your Petitioners to Camp of Sec and his Soldiers, and having the Command of a Boat, being its Pilot, he

Records of the General Assembly, Petitions, n.d., no. 1801. (Submitted to the Senate on 9 December 1824.)







The good faith and honour of your Petitioners  
 are implicated so far towards the Slave  
 on account of his good faith and  
 friends that they are bound to earnestly  
 to pray your Honorable body to grant  
 their prayer in which event they shall as in  
 duty bound ever pray

William D. Weston  
 John Mayrant  
 Rich<sup>d</sup> Moore  
 Warren Mason  
 John China Junr  
 Isaac Norton  
 W. L. Brunson  
 Richard R. Sparr  
 Isaac Lenoir  
 Peter Fraser  
 W. A. Giddens  
 James Atkinson  
 H. Vaughan  
 John A. Bowmaker  
 W. L. Sparr  
 Wm L. James  
 Henrykiah Nettles  
 Thos. V. Evans  
 John Carter

William D. Weston  
 John Mayrant  
 James H. West  
 L. N. Johnston  
 L. M. Brunson  
 Thos R. Morgan  
 John A. Carpenter  
 James D. Richardson  
 W. R. Rains  
 William H. Hays  
 W. H. B. Richardson  
 Charles Richardson  
 Wm. Corbett  
 H. R. Rains  
 David Gailance  
 James Gailance  
 Joseph Palmer  
 Wm. W. Cahoon  
 John S. Rains

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Wm. Sumter	Daniel Oakley
Saml. E. Nelson	Wm. Bain
Saml. C. Murray	Julius B. McKelvey
J. Mayhew	John C. R. R. R. R. R.
Robert M. Compton	Wm. R. R. R. R. R.
John J. Harrison	R. M. Goudin
W. Capen	Ransom B. McKelvey
Wm. R. R. R. R. R.	Emmanuel Levy
Martin Byrd	Edwin Galt
John Hudnall	Samuel Parker
W. Talconer	Theodore J. Gaillard
Peter A. Wright	D. J. R. R. R. R.
W. R. R. R. R. R.	W. R. R. R. R. R.
John Boyd Jr.	Samuel Dabon
John James	Thomas Laillard
A. B. Drake	S. Leguere
David F. Myles	Stephen D. D. D. D.
A. C. Galt	Charles Stevens
James Libby	Thomas Parker
	Charles Parker
	Samuel R. R. R. R.
	Wm. R. R. R. R. R.
	Wm. R. R. R. R. R.
	Matthew James

Records of the General Assembly, Petitions, n.d., no. 1801. (Submitted to the Senate on 9 December 1824.)



To the Honorable, The President and  
The Senate of the Legislature of the State of South Carolina

We the subscribers, Petitioners inhabitants of Claremont, Clarendon, St. Johns, St. Stevens and Richland Districts beg leave to offer to your honorable and enlightend Body, the following narrative as containing the grounds of their most reasonable petition. It is now some years since M<sup>r</sup> Ford a highly worthy and respectable Citizen of our State was murdered some where not far from Georgetown S<sup>o</sup>.Ca—by a negroe belonging to M<sup>r</sup> Carroll of Richland District named Joe (or Forest) We believe that unhappy occurrence happened under the Executive administration of the honourable Thomas Bennett. The relatives of M<sup>r</sup> Ford offered liberal rewards for the apprehension of this out lawed fellow. The Executive offered an appropriate reward also, but neither the temptation of the private reward, nor the public reward of the Governor, now both combined could lead to his capture. He was so cunning and artful as to elude pursuit and so daring and bold at particular times when no force was at hand as to put every thing at defiance. Emboldened by his successes and his seeming good fortune he plunged deeper and deeper into crime until neither fear nor danger could deter him first from threatning and then from executing a train of mischiefs we believe quite without a parallel in this country.

Most of the runaways flew to his camp and he soon became their head and their life. He had the art and the address to inspire his followers with the most wild and dangerous enthusiasm. Such was his cunning that but few of the enterprises for mischief planned by himself failed of success. We believe that nearly four years have now elapsed since the murder of M<sup>r</sup> Ford, the whole of which time, until his merited death was marked by crimes, by mischiefs and by the deseminaton of notions the most dangerous among the blacks in our sections of the country. Such as were calculated in the end to produce insubordination and insurrection with all the hedious train of evils that usually follow. Such at length began as we believed to be the danger arising from the power and influence of this Example and such we believed were indications given of approaching insurrection, that we deemed it expedient to call on the proper military department to send an adequate force either to capture or destroy a species of enemy that kept our families and neighborhoods in a constant state of uneasiness and alarm. This proper and justifiable application for assistance being disregarded, We made direct application to the Commander-in-Chief who taking no notice of our appeal to him We were compelled as we conceived from the necessity of the case to associate together for the purposes of domestic safety and for the object of impressing our blacks with proper fears by the power of wholesome example. We cannot but think that the state authorities as well civil as military were bound not only to have aided and assisted in carying into effect these most laudable views but that they were bound also without delay to



have attended to the peace and protection of an important and interesting section of the State of South Carolina; for it is held as a just and fundamental maxim of government that states are bound to give to their Citizens as adequate protection as possible in case of alarm and danger. We organized several companies as Infantry, from among our association, and being prepared for some days active service under persons chosen to command. We or many of us scoured Santee River Swamp from the confluence of the two rivers that form it to Munys Ferry a distance even by land of sixty miles. Notwithstanding however the zeal and alacrity with which we continued pursuit We should at length, oppressed by the sultry sun of October 6 1823 wearied down by excessive fatigue and rendered dispirited by the number extent and character of their places of retreat and concealment have abandoned our enterprise as being likely to yield nothing but disappointment to ourselves and triumph to the objects of our pursuit, but for the fidelity of a slave belonging to M<sup>rs</sup> Perron of Richland District named Royal. He in perfect good faith conducted a select party of your Petitioners to the camp of Joe and his followers, and having the command of a Boat, being its Patroon, he with considerable judgment and address managed to decoy those whom we had long sought towards the Boat, where were stationed a party expressly detailed for this duty. Soon perceiving their mistake and the danger full before them, they instantly attempted to defend themselves with well charged Musquets but at a single well directed fire from the party of Whites in the Boat Joe with three of his party fell dead. The rest of the gang of runaways were subsequently either killed in pursuit, hung for attempts to murder or were frightened to their respective homes. Now therefore we your most humble and respectful Petitioners conceiving that we particularly and that the State generally are deeply indebted to this slave Royal for his fidelity and good conduct in making himself the immediate instrument in bringing to merited punishment an offender, against the laws of the land; pray that in due consideration of these things will award to him such compensation as may be fully adequate and as your honourable and enlighten'd Body may think most compatible with the best interest of the State and with its dignity and Character in rewarding those that have rendered services to it—The good faith and honour of your Petitioners are implicated so far towards this slave on account of his good conduct and faithfulness that they are bound most earnestly to pray your honourable Body to grant their prayer in which event they shall as in duty bound ever pray -

John Mayrant, Jr. et al.

*Records of the General Assembly, Petitions, n.d., no. 1801. (Submitted to the Senate on 9 December 1824.)*



\$ 50.00 Reward!!



Ran away from the yard corner of Jackson & Broad Streets, Augusta Ga. — on the evening of Tuesday 7<sup>th</sup> April 1863 a Woman "Dolly", whose likeness is here seen. —

She is thirty years of age, light complexion — hesitates somewhat when spoken to, and is not a very healthy woman — but rather good looking, with a fine set of teeth. Never changed her owner and has been a house servant always. — It is thought she had been enticed off by some white man, being herself a stranger to this city, and belonging to a Charleston family. —

For further particulars apply to Antoine Poullain Esq. — Augusta Ga. —

Augusta Police Station  
Louis Manigault Owner of Dolly

Reward notice for runaway slave. Manigault Papers, #484, Vol 4, Plantation Journal.  
Southern Historical Collection, the Library of the University of North Carolina at Chapel Hill.

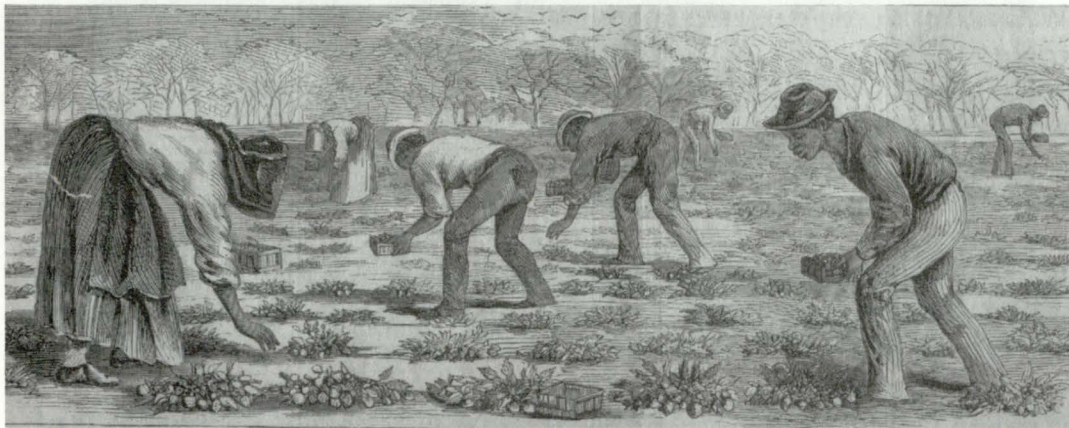




Loading railroad cars. Strawberry cultivation, Derby farm, Aiken, South Carolina. **Frank Leslie's Illustrated Newspaper**, 29 May 1869, 172. Picture Collection, SCDAH.



## SOLD FOR TAXES: PETITION OF SUNDRY INHABITANTS OF KERSHAW DISTRICT



Beginning in 1756, the General Assembly levied a capitation or head tax on free African Americans. All were required to pay the tax from 1788 until the end of the Civil War. In 1804, legislation set the taxable age between twenty-one and fifty. In 1828, when James Walker was sold for non-payment of his taxes, the tax was two dollars a year. This petition does not indicate what taxes Walker owed. It does mention, however, that Walker's escape deprived Mickle of five years of service—service that may have been imposed by the sheriff, who, by law, could sell a freed slave for up to five years to collect capitation taxes due.

Sheriff's tax execution and sale records for Kershaw District are unavailable for 1828. The sheriff's tax executions for Kershaw County, however, include two assessments against James Walker—one issued in 1823 for non-payment of a general and poor tax of \$60.53, and one issued in 1826 for a double tax of \$4.80. On 4 June 1823, Walker was arrested and jailed for non-payment of the general tax. The 1826 execution was settled.

No entries for James Walker appear in the surviving Kershaw County Magistrate and Freeholders Court records, nor in the Kershaw County General Sessions rolls, 1800–1839, nor in the extant manumission or guardianship of free African American records for Kershaw County.

The 1820 Kershaw County census shows Joseph Mickle owned twenty-four slaves but does not list James Walker. The 1830 census lists a free African American named Marinda Walker; it also shows Joseph Mickle's household included fifty slaves and one free African American male, whose ages were between thirty-six and fifty-five. In 1850, it lists Marinda Walker as forty-two, and it lists her children as Preston, sixteen; Henry, twelve; Joseph, eleven; David, nine; Maria,



five; and Lewis, two. An editor's note says Miranda Walker was also the mother of William Walker, who was born in 1851.

The census information raises several possibilities. First, the Miranda Walker entries could refer to James Walker's family. Second, James Walker could be the free African American male enumerated with Joseph Mickle in 1830. If Walker were sold for non-payment of taxes in 1828, his term of service should have ended no later than 1833.

Other documentation, however, raises questions about at least some of those possibilities. A resolution passed by the General Assembly on 3 December 1829 returned to Mickle a bond he had posted in 1828 to delay paying for Walker until 1 January 1830. The resolution noted that Mickle's investment would be lost because Walker would not return to South Carolina—he had been jailed in Fayetteville, North Carolina, and had been released under a writ of habeas corpus after the court refused to surrender him to Mickle's agent.

This petition shines an interesting light on the fragile economic base of free African Americans in antebellum South Carolina and on the racial implications of community mores and attitudes.

#### SOURCES

*The Third Federal Census, 1810, Kershaw County, SC* (n. p. Kershaw County Historical Society, 1972), 20.

*The Fourth Federal Census, 1820, Kershaw County, SC* (n.p. Kershaw County Historical Society, 1973), 20.

*The Fifth Federal Census, 1830, Kershaw County, SC* (n. p. Kershaw County Historical Society, 1994), 12, 20.

*1850 Kershaw County, SC Census with Expanded Genealogy* (Camden: Catawba-Wateree Chapter, SC Genealogical Society, 1997), 50–51.

Kershaw County, Records of the Sheriff, Tax Executions, 1823, 1826.

South Carolina General Assembly, *Reports and Resolutions, 1829, 1830, Records of the States of the United States*, [microfilm edition] ed. William Sumner Jenkins (Washington, DC: Library of Congress, in association with University of North Carolina, Chapel Hill, 1941 . . . 1950)



To the Honorable, the House of Representatives of the  
State of South Carolina

Whereas Major Joseph Mickle did purchase on  
the 8<sup>th</sup> September 1828, a certain freeman of color, sold for his  
Deeds, named James Walker, for two thousand & fifteen  
Dollars & 37<sup>1</sup>/<sub>2</sub> cents, it being the amount claimed by the Tax  
Collector for Taxes, and the Sheriff for his costs; for which  
said Major Mickle gave his note. And whereas  
the said James Walker, about the first of last April, made  
his escape from said Mickle and got into N. Carolina,  
where it seems he was liberated and set entirely free by  
the Authorities of that State; which has separated the  
said Mickle of the service of said Walker for five years  
from the 8<sup>th</sup> of September 1828. (We the undersigned  
Citizens of Camden respectfully solicit your Honorable  
body to exonerate the said Joseph Mickle from the payment  
of said note, so far as it respects the claims of the State  
on him for the arrears Taxes of the said James Walker.

James Walker is a man of general bad character.  
He was suspected of setting fire to houses in the night,  
breaking open staves and meat shops, & habitual drunkard,  
and we really think him capable of any outrage for  
which depravity could prepare the human mind.

Major Mickle lives at a distance from Camden, and  
surely could not have known the character of Walker,  
or he would not have been so devoid of reason as to  
have purchased him. November 2<sup>d</sup> 1829.

John S. Parker  
Joseph Goodman  
Everard Curston  
Peter Warren  
David Smith  
Wm. C. Nixson  
Lewis S. Perkins  
M. Cantey

Francis Allen  
John Cheamut  
J. West  
James Martin  
C. J. Shannon  
Hale J. Noble  
H. W. Smith  
J. Schrock



*Thos. Blair*  
*Wm. Hart*  
*Thos. Gairdner*  
*Shubel Blanding*  
*James McQueen*  
*W. Boone*  
*Alexander Young*  
*Thos. Perry*  
*C. Mathews*  
*J. Reynolds*  
*J. R. Douglas*  
*John L. Smith*  
*James Quibb*  
*J. Munay*  
*P. Thomson P.M.*  
*William Blanding*  
*Wm. C. Cairns*  
*Josh. I. Nettles*



## TRANSCRIPT OF PETITION OF INHABITANTS OF KERSHAW DISTRICT

To the Honorable, the House of Representatives of the State of South Carolina.

Whereas Major Joseph Mickle did purchase on the 8<sup>th</sup> September 1828 a certain freeman of Colour, Sold for his Taxes, named James Walker, for two hundred & fifteen Dollars & 37 cents; it being the amount claimed by the Tax Collector for Taxes, and the Sheriff for his costs; for which sum Major Mickle gave his note: And whereas the Said James Walker, about the first of last April, made his escape from said Mickle and got into No Carolina where it seems he was liberated and set intirely free by the authorities of that state; which has deprived the said Mickle of the services of said Walker for five years from the 8th of September 1828. We the undersigned Citizens of Camden respectfully solicit your Honourable body to exonerate the said Joseph Mickle from the payment of said note, so far as it respects the claim of the State on him for the arrearage Taxes of the said James Walker.

James Walker is a man of general bad character. He was suspected of setting fire to houses in the night, breaking open stores and meat Houses; a habitual drunkard, and we really think him capable of any outrage for which depravity could prepare the human mind.

Major Mickle lives at a distance from Camden, and surely could not have known the character of Walker, or he would not have been so devoid of reason as to have purchased him.

November 2<sup>nd</sup>. 1829.

Signed John l Parker et al.



# 150 Negroes FOR SALE!

WILL be sold at the Court House in Sumterville, on the first Monday and days following, in April next, one hundred and fifty Negroes (or perhaps more) as the property of Jacques Bishop, levied on at the suit of the Bank of the State, vs C. C. Campbell & Co. and others, on the following terms to wit: Purchasers who may desire it, will be allowed a credit of one half the purchase money until the first day of January, 1839, and for the balance, until the first of January, 1840, and their giving bonds and security, and a mortgage of the property. The bonds will bear interest from the day of sale, and Thos. Salmond, Thos. J. Wethers, and Wm. M'Willie, will have the approval of the security offered, of which they are to be the exclusive special judges. Among the above lot of Negroes, there are several very superior Blacksmiths, Shoemakers, Carpenters, and Tanners. The above is a first rate gang of Negroes, of good character and well trained to agricultural purposes; sold for no fault, but to raise money. At the same time and place, will be sold twenty or thirty first rate MULES and HORSES, and several WAGONS.

Purchasers wishing to pay cash, it will be received.

Purchasers to pay for necessary papers  
March 10, 1838.

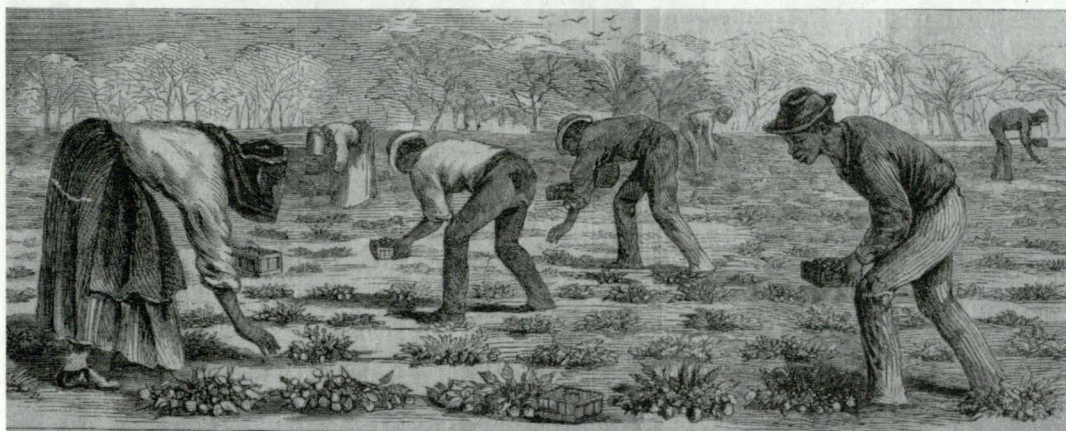
W. E. RICHARDSON,

Sheriff S. D.

*Auction broadside, Sumter, South Carolina. Owners often secured bonds, mortgages, and other indebtedness with slave property. Miscellaneous Broadside Group, #OP-2874, item 6. Southern Historical Collection, the Library of the University of North Carolina at Chapel Hill.*



## THE VALUE OF A LIFE—PETITION OF JOHN COACHMAN



The South Carolina legislature faced a double-headed problem—how to discipline and control the slave population without unduly penalizing the slaveholders. In 1712 to solve the problem, it passed Act 314 to compensate slaveholders for the loss of slaves who were executed for criminal offences. Payment in 1712 was set at the slave's full value; in 1714, it was limited to fifty pounds; in 1722, it was raised to one hundred; and in 1740, it was raised to two hundred current. The reimbursement, made first in pounds and later in dollars, remained in effect until 1865.

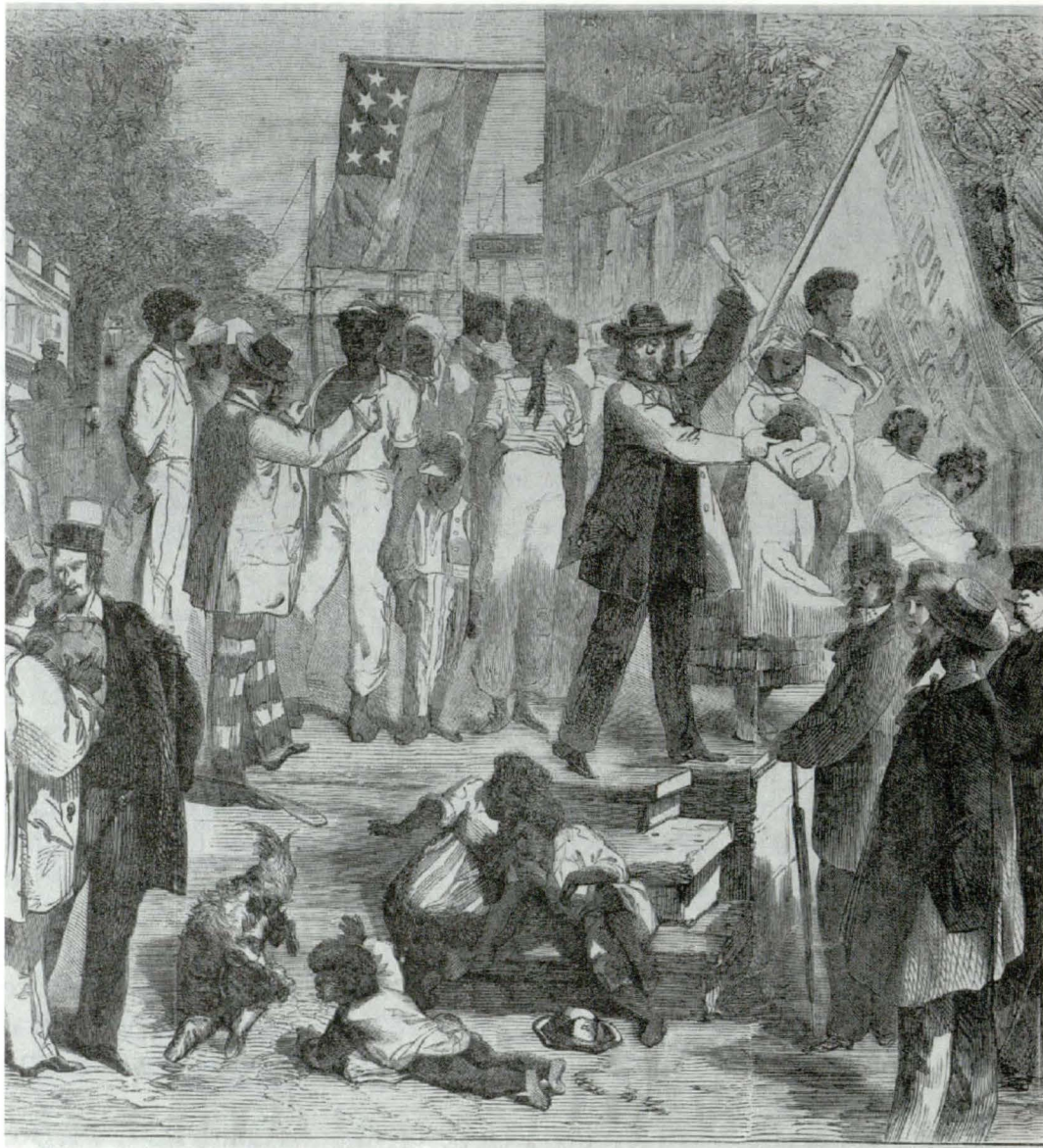
John Coachman, a Georgetown District slaveholder and rice planter, was born in 1769 and died in 1835. He owned Ditchfield Plantation, married five times, and in 1830, he owned twenty slaves. In 1829, he petitioned the General Assembly for \$122.45, the appraised value of his executed slave, Charles, who was also known as Charles Prioleau.

A Magistrates and Freeholders Court had condemned Charles to death "for attempting to raise an insurrection among the slaves." On 23 July 1829, Georgetown militia captain William Vaught had learned of the proposed insurrection, and two slaves—Wood, who belonged to Francis Kinloch, and Charles, who belonged to John Coachman—were hanged for their role in plotting the insurrection.

Coachman's petition was referred to committee. The Senate committee reported favorably, and the House accepted the Senate report. Coachman received \$122.44 because his slave "was not taken in actual rebellion."

This petition illustrates the process owners followed to obtain compensation for slaves who were executed for criminal offenses.





*Southern Slave Auction. Harper's Weekly, 13 July 1861, 412. LC-US262-2582. The Library of Congress.*

#### SOURCES

*Statutes at Large*, VII, 358, 366, 403.

United States Bureau of the Census, Population Schedule, Georgetown District, South Carolina, 1830, 209.

George C. Rogers, Jr. *The History of Georgetown County, South Carolina* (Columbia: University of South Carolina Press, 1971), 236–37, 275.

South Carolina General Assembly, Journals of the Senate and Journals of the House of Representatives, 1829.



To the Honorable the Speaker and Members of the House  
of Representatives of the State of South Carolina.

The Humble petition of John Coachman of  
Georgetown District respectfully sheweth-

That Your  
Petitioner was the Owner of a certain Negro man  
Slave named Charles, otherwise called Charles Fideaux  
which said Negro was tried by a Court of Magistrates  
and Freeholders, for attempting to raise an insurrection  
among the Slaves of this State, and condemned to be  
hanged. That the said Court subsequent to the  
passing Sentence on the said Negro but prior to  
his Execution, appraised and valued him at the  
sum of One hundred and twenty two Dollars and  
forty five cents. And your Petitioner further shews  
that the said Negro man was executed on the 18<sup>th</sup>  
Day of September, agreeably to the sentence which  
had been passed upon him.

Wherefore Your Petitioner prays  
that the said sum of One hundred and twenty two  
Dollars and forty five cents being the amt at which  
the said Court valued and appraised the said Negro/  
may be granted him. And your Petitioner as in  
Duty bound will ever pray.

John Coachman



South Carolina  
 Georgetown District

At a court of justice & Freeholders held at  
 Georgetown in said District on the 16 day of  
 September in the year of Our Lord 1829

Present  
 Wm. H. H. H. } Justices  
 John R. Eastland }  
 Stephen Ford }  
 Elazar Matson } Freeholders  
 C. J. Harist }  
 Thos. J. Goddard }  
 R. F. W. Allen }

The State against a Negro Man  
 named Charles Prolean, the property of John  
 Coachman Esq.

The Court met & proceeded to the trial of the Prisoner  
 agreeably to the directions of the act of Assembly in  
 that case made & provided; and after examining  
 the Minutes for & against the Prisoner & hearing  
 his defence, the Court found him guilty, & passed  
 on him sentence of Death. But, in view of the  
 surrounding & ordaining the said sentence to be executed.

appeared

Appraised & valued the said Negro man named Charles  
 Prolean at One Hundred & twenty two dollars 45 cents  
 & directs the sum of One Hundred & twenty two dollars  
 45 cents to be paid to John Coachman Esq. the  
 owner of said Negro, agreeably to the act of Assem-  
 bly in that case made & provided.

Certified this 14th Sept. 1829

Wm. H. H. H. J. Just.  
 Thos. J. Goddard } Freeholders  
 E. Matson }

Records of the General Assembly, Petitions, n.d., no. 1795.  
 (Submitted to the Senate on 14 December 1829.)



To the Honorable the Speaker and Members of the House of Representatives of the State of South Carolina.

The Humble petition of John Coachman of Georgetown District respectfully Sheweth—

That Your

Petitioner was the owner of a certain Negro man slave named Charles, otherwise called Charles Prioleau which said Negro was tried by a Court of Magistrates and Freeholders, for attempting to raise an insurrection among the slaves of this State, and condemned to be hanged. That the said Court subsequent to the passing sentence on the said Negro but prior to his Execution, appraised and valued him at the sum of One hundred and twenty two dollars and forty five cents. And Your Petitioner further shews that the said Negro man was executed on the 18<sup>th</sup>. day of September, agreeably to the sentence which had been past upon him.

Wherefore Your Petitioner prays that the said sum of One hundred and twenty two dollars and forty five cents / being the amt at which the said Court valued and appraised the said Negro / may be granted him. And Your Petitioner as in duty bound will ever pray. \_\_\_\_John Coachman

South Carolina Georgetown District

*Records of the General Assembly, Petitions, n.d., no. 1795. (Submitted to the Senate on 14 December 1829.)*



At a Court of Justices & Freeholders held at Georgetown in said District  
on the 16 day of September in the year of Our Lord 1829

Present

W<sup>m</sup> Harvey John R Easterling Justices

Stephen Ford Eleazer Waterman Ed<sup>d</sup> T. Heriot Thos F Godard RFW Allston  
Freeholders

[Insurrection]

The State against a Negro Man named Charles Prioleau, the property of  
John Coachman Esq<sup>r</sup>

The Court met & proceeded to the trial of the Prisoner agreeably to the direc-  
tions of the act of Assembly in that case made & provided; and after examin-  
ing the Witnesses for & against the Prisoner & hearing his defence, the Court  
found him Guilty, & passed on him Sentence of Death. But, previously to  
awarding & ordering the Said Sentence to be executed Appraised & valued the  
Said Negro man Named Charles Prioleau at One hundred & twenty two dol-  
lars 45 cents & directs the Sum of One hundred & twenty two dollars 45 cents  
to be paid to John Coachman Esqr. the owner of Said Negro, Agreeably to the  
Act of Assembly in that Case Made & provided.

Certified this 17th Sepr. 1829

Wm S Harvey Q.U. & Presdt.

Thomas. F. Goddard

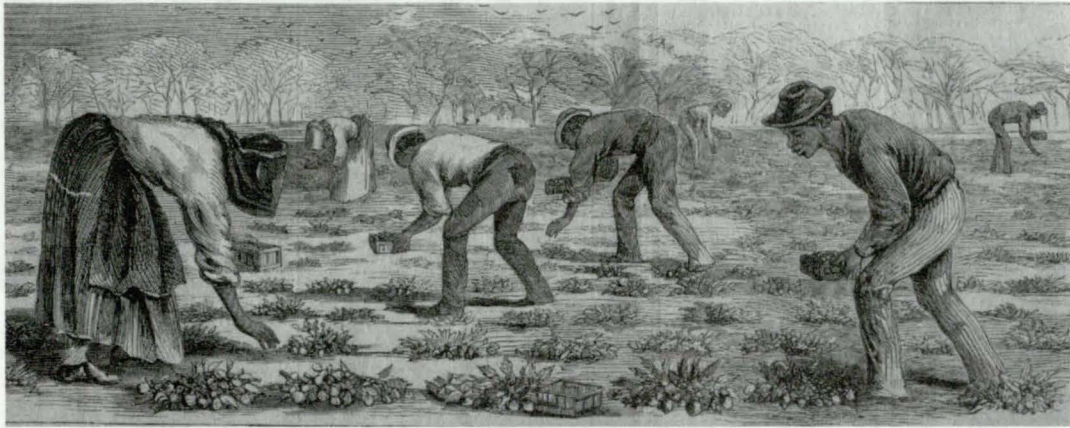
E. Waterman

Freeholders

*Records of the General Assembly, Petitions, n.d., no. 1795. (Submitted to the  
Senate on 14 December 1829.)*



## UNFAIR COMPETITION: PETITION OF CHARLESTON WHARF OWNERS & MERCHANTS



Often South Carolinians complained that free persons of color and slaves stole to support themselves. Especially targeted for criticism were slaves hiring out their own time. Stealing, many reasoned, gave those slaves a way to make the money they needed to pay off their masters. Many also believed that trading with slaves encouraged theft.

Beginning early in the colonial period, the legislature tried to restrict the practice of trading with slaves. One law directed masters to give tickets or permits to slaves who traded or bought goods for them. It also required shopkeepers and clerks to keep the permits to prove the transactions were legal.

As this petition shows, the legislation was ineffective. The laws were routinely ignored, they were difficult to uphold, and counterfeit permits abounded. The petitioners complained that it was not the lawbreakers but the petitioners themselves who suffered because the one thousand dollar fine and twelve months in jail seemed of little consequence to the “men in our community whom no principles deter from . . . a prospect of gain.” The thefts cost the petitioners income and threatened their reputations in far off ports when the weight of cargo delivered fell short of its weight when first packed.

The petitioners asked the General Assembly to choose one of two remedies—either change the law or deregulate wharfage rates. The legislature could, they said, tighten the law that governed trade with slaves and pass a new law to stop free persons of color from trading in cotton and rice; or, they said, it could help the petitioners recoup their losses by allowing them to set their own wharfage rates.





Loading cargo. *Frank Leslie's Illustrated Newspaper*, 29 May 1869, 161. Picture Collection SCDAH.

Although the date of this petition is not known for sure, it was submitted to the Senate on 3 December 1834. The General Assembly apparently took no action—a prudent decision considering the impact such legislation may have had on the local economy.

#### SOURCES

H. M. Henry, *The Police Control of the Slave in South Carolina* (New York: Negro Universities Press, 1968. Reprint of 1914 edition), 79–83.

*Statutes at Large*, VII, 407–8, 434–35, 454–55.



To the Honorable the President and Members of the Senate of the State of South Carolina—

The Memorial of Sundry wharf owners and Merchants of the City of Charleston, Sheweth, That your Memorialists have long suffered under the inefficiency of the Laws for the protection of the Cotton and Sugar lying upon the Wharves of Charleston. Cotton especially from the immense quantities received, and the loss many it sustains from exposure to the weather, is frequently not stored, and is always in large quantities lying upon the wharves, and consequently liable to continual depredations by Slaves and free persons of Colour who frequent them. Unfortunately, there are men in our community, whose no principles deter from any traffic which may offer a prospect of gain; and the Courts as they will not act against trafficking with Slaves, admit of such easy expedients for evading their application, that they are equivalent to no laws at all. This traffic is rendered legal by the production of a written permit, and this is easily obtained, not only from white persons without property or character, but from Slaves and free persons of Colour, who, being able to write, readily manufacture tickets in the name of the owner or employer or any other person, and frequently in the name of a fictitious person. It is true, the law requires the Shopkeeper to prove the authenticity of the permit, but the evidence offered for this purpose by the accused can seldom be rebutted by the State. The ticket is produced only at the trial, when it is too late to bring evidence to disprove its authenticity, and independently of this difficulty, because the permit is secured to be not authentic, the Jury will almost be slow to convict one who can show the appearance of being deceived himself, and plead the absence of criminal intention. Nor is there any remedy against those who force these permits. The Law of Forgery would not apply, because it can seldom or never be proved that any particular individual has sustained injury by the Forgery. As the property is stolen, it is impossible to determine to whom it belongs, and thus when the injury sustained, by which the forgery could be established, shows the damage which the Law intended to afford, by requiring a ticket to legalize

Records of the General Assembly, Petitions, n.d., no. 1895. (Submitted to the Senate on 3 December 1834.)



legals trafficking with Slaves is wholly inefficient. It is also required by the Laws, as they now exist, that the actual trade and transfer shall be proved to have taken place, that the article was received, and the equivalent paid. Prosecutions are easily defeated, by absconding, completing the trade at the time the article is received. The article is received at one time and paid for at another or on account is kept, and a statement is made some time after the article is received. But a still greater defeat of the Laws in the subject of Slaves, is in allowing distinct proof that the Clerk of the Court of the Sheriff is sanctioned or authorized by the employer. It is vain to prosecute the Clerk for he is totally irresponsible, and if arrested, will only throw expense upon the State: And to attempt to make him a witness against his employer, experience has proved to be equally futile. The whole poverty or a want of principle, has driven to a habitual violation of the laws, cannot be treated as a witness to support them, and a Law which rests upon a contrary presumption, will soon prove in practice a nullity. By these and many other artifices, most easily resorted to, the Laws are made to afford no protection against illicit traffic with Slaves and free persons of colour; and thus, our Cotton-espionage, to an immense amount, are shrouded upon our wharves, without the possibility of bringing the chief offenders and instigators to justice, or of protecting ourselves. The Maritime and the fact may appear from Memorialists confidently believe that in the article of Cotton alone, not less than thirty thousand bales are purchased in illicit traffic by the ships in Charleston from Slaves and free persons of colour. The one had at length gone so far, that from Memorialists, after repeatedly endeavoring to register themselves by the Laws as the Slaves, are now induced to come before your Honorable Body for relief and protection. The Legislature of the State have thought proper, contrary to the great principles of free trade, arbitrarily to fix the rates of landing and Storage upon the wharves in Charleston. However injurious and unjust these regulations might have been when first established, yet from Memorialists are not now disposed to complain of them. The value of the wharves having been in some degree graduated by these rates. But upon every principle of justice and sound morals we respectfully submit that the Legislature ought to do one of two things

*Records of the General Assembly, Petitions, n.d., no. 1895. (Submitted to the Senate on 3 December 1834.)*



ship - either protect, by efficacious laws, the wharf owners from  
 depredations upon the planters property, which were felt exclusively  
 by them - or leave them to protect themselves by abolishing all  
 legislative regulations of the rates of wharfage. If the latter al-  
 teration is proposed, your Memorialists will be content, so long  
 as the State will not attempt to put the rates of wharfage  
 at such a point, as shall indemnify them for the thefts committed.  
 The loss was the full value of cargo to felt, upon whom who is  
 plundered. It is with honest pride that your Memorialists  
 are enabled to say, that without the characters of the Merchants  
 of Charleston have been so high in foreign lands, that the weights  
 of an invoice have been frequently taken for what it calls upon  
 its face, without weighing or examination. But lately, in  
 consequence of the depredations upon their wharves after the cotton  
 is weighed and before it is shipped, the weights have fallen  
 short so repeatedly, that not only do our pecuniary interests  
 suffer, but what is of far more importance to an honest mind  
 our characters at home and abroad are in danger of impairment.  
 Your Memorialists are indeed but a slender portion of the  
 People of the State, but we trust that we may not be deemed  
 guilty of self exaltation in submitting, that the character of a  
 People for honor and honesty with foreign nations depends  
 more upon its merchants than any other class of its citizens.  
 All the pecuniary transactions of a State with foreign powers  
 are carried on through them and them alone. The character  
 of the State is therefore deeply implicated in common with ours  
 in these abuses. Your Memorialists, cannot anticipate the  
 remedies for the evils of which they complain that your Honorable  
 Body in its enlightened wisdom may apply. They however trust  
 that it will not be deemed indecorous to suggest to the Legislature  
 what it appears to them would be adequate to the evil. First  
 let the formality of a ticket be dispensed with in all trafficking  
 with Slaves in the two great articles of Cotton and Rice,  
 and the penalties now existing against trafficking illegally  
 with Slaves, be made to apply to all trafficking with Slaves  
 or free persons of color either with or without a ticket.  
 The master of a Slave or the Guardian of a free person of  
 color, can with but little inconvenience accomplish any  
 legal traffick for them in these two commodities. In  
 Law, nothing that a Slave is in violation of, is his, it is his  
 masters, and this principle as regards these articles, should be

Records of the General Assembly, Petitions, n.d., no. 1895. (Submitted to the Senate on 3 December 1834.)







To the Honorable the President and Members of the Senate of the State of South Carolina—

The Memorial of Sundry Wharf owners and Merchants of the City of City of Charleston, Humbly Sheweth, That your Memorialists have long suffered under the inefficiency of the Laws for the protection of the Cotton and Rice lying upon the Wharves of Charleston. Cotton especially from the immense quantities received, and the little injury it sustains from exposure to the weather, is frequently not Stored, and is always in large quantities lying upon the wharves; and consequently, liable to continual depredations by Slaves and free persons of Colour who frequent them. Unfortunately, there are men in our community, whom no principles deter from any traffic which may offer a prospect of gain; and the Laws as they exist against trafficking with Slaves, admit of Such easy expedients for evading their application, that they are equivalent to no laws at all. This traffic is rendered legal by the production of a written permit; and this is easily obtain'd, not only from white persons without property or Character, but from Slaves and free persons of Colour, who being able to write, readily manufacture tickets in the name of the owner or employer or any other person, and frequently in the name of a fictitious person. It is true, the law requires the Shopkeeper to prove the authenticity of the permit, but the evidence offered for this purpose by the accused can Seldom be rebutted by the State. The ticket is produced only at the trial, when it is too late to bring evidence to disprove its authenticity. and independently of this difficulty, should the permit be proved to be not authentic the Jury will always be slow to correct one who can shew the appearances of being deceived himself, and plead the absence of Criminal intention. Nor is there any remedy against those who forge these permits. The law of Forgery will not apply, because it can seldom or never be proved, that any particular individual has sustain'd injury by the Forgery. Altho' the property is stolen, it is impossible to determine to whom it belongs, and thus shew the injury sustain'd, by which the forgery could be established, Hence, the guard which the Law intended to afford, by requiring a ticket to legalise trafficking with Slaves is utterly inefficacious. It is also required by the Laws, as they now exist, that the actual trade and barter shall be proved to have taken place, that the article was received, and the equivalent paid.—

Prosecutions are easily defeated, by ostensibly not completing the barter at the time the article is received. The article is received at one time and paid for at another; or an account is kept, and a settlement is made Some time after the article is received. But a Still greater defeat of the Laws on this Subject, if possible, is in requiring district proof that the illicit traffic of the Clerk of the Shopkeeper is sanction'd or authorised by the employer. It is vain to prosecute the Clerk, for he is totally irresponsible; and if convicted, will only throw expense upon the State: and to attempt to make him a witness against his employer; experience has proved to be equally futile. He whom poverty or a want of principle, has



driven to a habitual violation of the laws, cannot be trusted as a witness to support them; and a Law which rests upon a contrary presumption, will ever prove in practice a nullity. By these and many other artifices, most easily resorted to, the Laws are made to afford no protection against illicit traffic with Slaves and free persons of colour; and Rice, and Cotton especially, to an immense amount, are plundered upon our wharves; without the possibility of bringing the chief offenders and instigators to justice, or of protecting ourselves; As startling as the fact may appear, Your Memorialists confidently believe that in the article of Cotton alone, not less than Five Hundred Bales are purchased in illicit traffic by the Shops in Charleston from Slaves and free persons of colour. The evil has at length gone so far, that Your Memorialists, after repeatedly endeavouring to right themselves by the Laws as they Stand, are now induced to come before Your Honourable Body for relief and protection. The Legislature of the State have thought proper, contrary to the great principles of free trade, arbitrarily to fix the rates of landing and Storage upon the wharves in Charleston.

However injurious and unjust these regulations might have been when first establish'd—yet Your Memorialists, are not now disposed to complain of them; the value of the wharves having been in Some degree graduated by these rates. But upon every principle of justice and equal rights, we respectfully Submit that the Legislature ought to do one of two things—either protect by efficacious Laws, the wharf owners from depredations upon the planter's property, which now fall exclusively on them—or leave them to protect themselves, by abolishing all legislative regulations of the rates of wharfage. If the latter alternative is preferred, Your Memorialists will be content. It will then be their duty as well as interest to put the rates of wharfage at such a point, as shall indemnify them for the thefts committed. The loss will then fall where it ought to fall, upon him who is plundered. It is with honest pride, that Your Memorialists are enabled to say that hitherto the characters of the Merchants of Charleston have been so high in foreign parts, that the weights of an Invoice have been frequently taken for what it calls upon its face, without re-weighing or examination. But latterly in consequence of the depredations upon their wharves after the Cotton is weighed and before it is shipped, the weights have fallen short so repeatedly, that not only do our pecuniary interests suffer but what is of far more importance to an honest mind our characters at home and abroad are in danger of imputation. Your Memorialists are indeed but a small portion of the People of State, but we trust that we may not be deemed guilty of self exaltation in submitting that the character of a People for honor and honesty with foreign nations depends more upon its merchants than any other class of its citizens. All the pecuniary transactions of a State with foreign powers are carried on through them and them alone. The character of the State is therefore deeply implicated in common with ours in these abuses.—Your Memorialists cannot anticipate



the remedies for the evils of what they Complain that Your Honourable Body in its enlighten'd wisdom may apply. They however trust that it will not be deemed indecorous to suggest to the Legislature what it appears to them will be adequate to the evil. First, let the formality of a ticket be dispensed with in all trafficking with Slaves in the two great articles of Cotton and Rice, and the penalties now existing against trafficking illegally with Slaves, be made to apply to all trading with Slaves or free persons of colour either with or without a ticket. The master of a Slave or the Guardian of a free person of Colour can with but little inconvenience accomplish any legal traffick for them in these two commodities. In Law, nothing that a Slave is in possession of, is his; it is his masters: and this principle as regards these articles, should be carried out in all traffick with Slaves. Experience has proved, that to concede the privilege of trafficking with Slaves is to license and encourage plundering. No Slaves or free persons of color, at least with us, raise these commodities, and when they Sell them the presumption is in fact, and ought to be in law, that they are Stolen. We would in the Second place respectfully suggest for the reasons we have already assigned, that all those who receive these commodities from Slaves or free persons of colour should be put upon the Same footing as those who trade for them, The evasion now so common of receiving the article at one time and paying for it at another, would then be defeated; and the presumption, which will then exist in Law will only be that which now exists in fact—No one receives these commodities from Slaves but those who trade for them. Thirdly, we think that in all trading or receiving in these commodities, the acts of the clerk of a Shopkeeper Should be considered as the acts of his employer who should be indictable therefor. This presumption however, should be liable to be disproved by any other person than the Clerk himself. Fourthly we would Submit That the forgery of tickets for trading should be suppressed by additional penalties: it should be rendered penal for any other person than the owner, protector or Employer of a Slave to give a ticket to a Slave.

All which is respectfully Submitted to Your Honorable Body

*Records of the General Assembly, Petitions, n.d., no. 1895. (Submitted to the Senate on 3 December 1834.)*

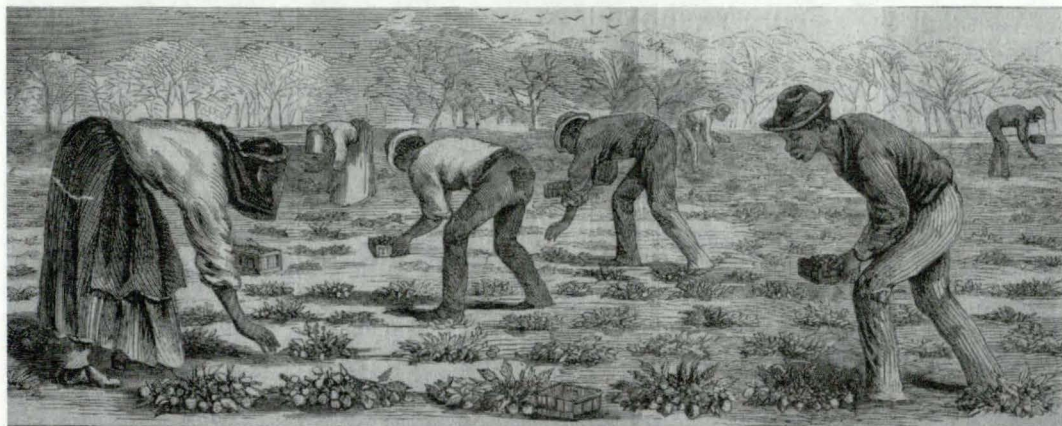




*First Baptist Church, 61 Church Street, Charleston, South Carolina. State Historic Preservation Office, National Register of Historic Places, SCDAH.*



## IN PURSUIT OF LIBERTY: PETITION OF MOSES IRVINE, A FREED SLAVE, BY HIS GUARDIAN



By 1800, sensitivities over the issue of manumission in South Carolina had begun to erode the laissez faire practices followed in the proprietary and colonial eras. Legislation passed by the General Assembly illustrated this state of affairs when it directed masters who wished to manumit slaves to appear with the slaves before a magistrate and five freeholders to answer questions about the slaves' characters and their abilities to earn a living. Masters and slaves who satisfied the court received a certificate, which the clerk of court then recorded along with a deed of emancipation.

In 1820 in response to the fear that growing numbers of free African Americans would menace the good order of society, the General Assembly passed another law. This one allowed manumission only through an act of the legislature. The next year when the General Assembly received petitions from masters asking for freedom for at least forty-five slaves, it created a special committee to consider the requests but acted on none.

During these anxious times, Moses Irvine tried at least twice to free his wife, Harriet, and their two daughters, Mary and Martha, whom he had purchased from Mary Roupell in 1828. The petition printed here includes two affidavits of support, one dated 19 October 1829 and the other dated 14 November 1836, from the pastor and deacons of the First Baptist Church in Charleston and one, dated 29 November 1836, from Joseph Lynch, the grandson of Irvine's former owner.

In the October affidavit, Dr. Basil Manly, pastor of the First Baptist Church in Charleston and a prominent Baptist leader who eventually became president of the University of Alabama at Tuscaloosa, alluded not only to the long-term impact of the Vesey rebellion of 1822 but also to a certain denominational rivalry. "In the



threatened insurrection of coloured people in this city Some years past," he said, "not one connected with the Baptist Church was found in any degree implicated."

Despite the good standing of Irvine's supporters and his own appeal to patriotism based on his Revolutionary War activities, Irvine's family was not free when he executed his will on 15 February 1842. He left his home on Logan Street in trust for them, and he left other property in trust for his sister-in-law, Eleanor Morris, and her son, Robert Toomer.

Entries in the federal censuses and in the free negro capitation tax books for Charleston, however, show their situation was irregular. Some of the entries also suggest that the trust Irvine set up for his family allowed them to live as if they were free and to prosper. The federal census for 1830 showed the family as living in Ward 2 of the City of Charleston. The Free Negro Capitation Book for 1838 included an entry for Harriet Irvine, gave her address as Logan Street, and noted that she "were a slave." The 1843 capitation tax book included an entry for Irvine's daughter Mary, listed her as "now Legare," and gave her address as Logan Street. The census for 1850 listed a household of free persons that included Mary Legare aged thirty-one, Jacob Legare aged forty (a painter), Harriet Mathews aged twenty-five, William aged two, and Owen Chatters aged thirty. Chatters was listed as black, the rest were shown as mulatto.

Legislative restrictions and popular fears failed to thwart the dream of the aged veteran who had chosen the patriot vision of liberty and fled the British. For with ingenuity and community support, Moses Irvine had made it possible for his family eventually to live as though they were free.

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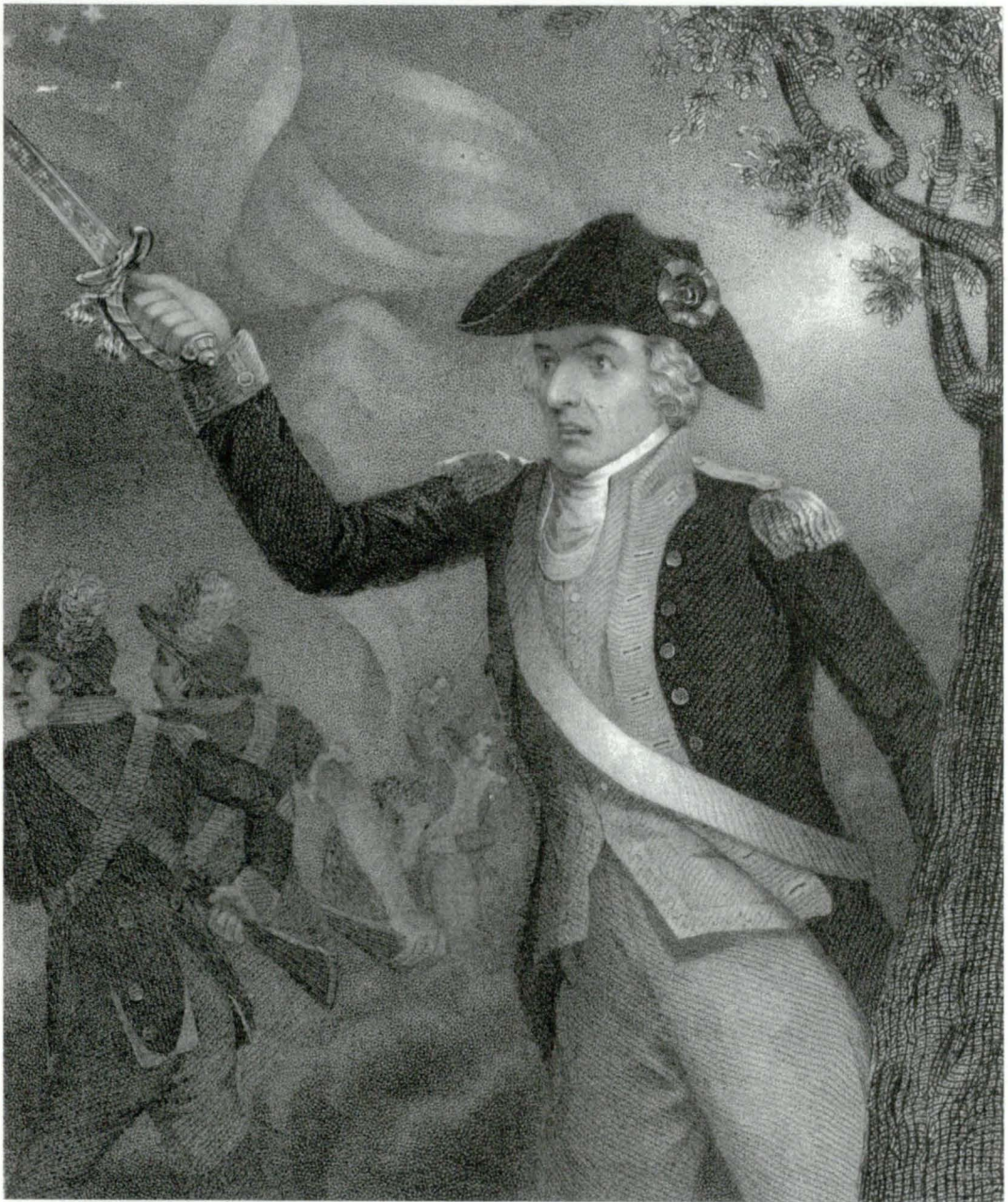
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*Artist's engraving of Revolutionary War General Francis Marion. Picture collection, SCDAH.*



To the Honorable the Senate of  
South Carolina, The humble pe-  
tition of Moses Irvine a free man of  
color, by his guardian L. H. Ken-  
nedy.

Sheweth: That he was  
born a slave and in his youth  
served Gen. Mifflin as a hired  
servant, and attended on him  
at various times during the war  
of the Revolution and particularly  
during the siege of Charleston.  
That with other slaves he was sent  
after the fall of Charleston to ~~Stono~~  
a plantation near Nelsons ferry;  
~~from~~ where he was seized by the  
British and carried to the upper  
parts of the State: That on their  
return he escaped from them near  
Col Mumpson's and made his  
way to the risk of his life to  
his master Mr Irvine; who after-  
wards gave him his freedom, as  
a reward for his faithful ser-  
vices.

That he married a woman  
that was a slave - ~~and she~~  
~~was a slave~~; and that by the  
savings of his long labors he has  
since purchased his wife, and  
has two children, which she  
has born him: That he and  
his wife are far advanced,



in years, and is rendered very  
unhappy by the situation of his  
children, who are the persons  
that he would have what little  
he has, but who are in danger  
of being seized after he is dead as  
vacant property - and consigned to  
the use of the state.

Your Petitioner humbly  
asks your attention to his appeal  
to your humanity - and begs leave  
to refer to the testimonies of many  
honorable gentlemen who have  
certified to his good conduct and  
subordinate demeanour during  
his whole life: and to the tes-  
timonial of the lady from whom  
he purchased his wife to the  
same purport. And prays  
that you would be pleased to  
sanction his children's freedom  
by allowing them to follow  
the conditions of their father.



State of South Carolina  
City of Charleston.

The Subscribers, having understood that Moses Irvine, - a free man of colour is about to petition the Legislature to grant the emancipation of his wife and two small children, beg leave to state, that the said Moses Irvine has been a member of the Baptist Church in Charleston since the year 1790; that during a great part of that time he has been authorized by the Church to teach and exhort the Coloured People - and that in this Capacity as well as in every other, whether publick or private, in which he has been called to act he has behaved himself with such propriety as to secure the confidence and esteem of the Church and of those who know him. They believe the statements, which he makes in his petition, of events which transpired during the Revolution to be correct. -

The Subscribers also state, that his wife, Harriet, lately the servant of Miss Roupell, is also a member of this Church, of good standing and character, and esteemed by the Church. -

It is with pleasure further added, that the salutary influence of example from the leading coloured members of this Church has been such, that in the threatened insurrection of coloured people in this city some years past, not one connected with the Baptist Church was found in any degree implicated. -

The Subscribers therefore hope that if the Legislature in their wisdom, should think it safe in any instance to depart from those laws which hitherto have been



enacted and are now in force, on the subject of  
emancipation, they may do so in favor of  
this present Petitioner,

October 19<sup>th</sup> A.D. 1829. Basil M. Smith, Pastor  
of the Bap. Chh. in Charleston.  
Wm. Inglesby Deacon  
Robt. Broodie — Deacon  
A. Smith — Deacon.  
Oliver Fuller  
Robert  
Edward G. Lays  
Joseph R. Cowen  
John H. Jeffords  
W. Riley  
Charles M. Thompson  
Peter Gervais  
Thomas B. Smith

Charleston November 14. 1836.

The subscriber would state that since the date  
above written, Moses Irvine has continued the same course  
of good order, which the tenor of his life would lead  
his friends to expect. His uniform regard to truth justifies  
me in stating that in my opinion reliance can be placed  
in any thing he would say concerning facts which transpired  
within his own observation. — I have seen a certificate of  
his former owner, respecting his age, by which it would appear  
that he is not less than 75 years of age at present. —

B. Manly.  
Pastor of Bap. Chh.



Charleston Nov. 29<sup>th</sup> 1836.

My dear Sir

The Bearer of this was an old and faithful servant of my Grandfather. I have frequently been on his knee during my boyhood, and my recollections of him as referred to that period of life are strong as to the excellence & goodness of his character. Since having obtained his freedom I believe thirty years <sup>ago</sup> from my Grandfather his conduct as a member of the community has been unimpeachable. If you can aid in the attainment of what he so ardently desires, as set forth in his petition, you would confer the greatest blessing on him: and I presume no serious objection or opposition would be made to it on the score of policy - Wishing you abundant returns - I remain Dear Sir,

Very sincerely Yours

J. S. S. S.



To the Honorable the Senate of South Carolina, The humble petition of Moses Irvin a free man of colour, by his guardian L.H. Kennedy.

Shewith: That he was born a slave and in his youth served Gen. Marion as a hired servant, and attended on him at various times during the war of the Revolution and particularly during the siege of Charleston- That with other slaves he was sent after the fall of Charleston to a plantation Near Nelsons Ferry: Where he was seized by the British and carried to the upper parts of the State: That on their return he escaped from them near Col Thompson's and made his way at the risk of his life to his master Mr. Irvin; who afterwards gave him his freedom, as a reward for his faithful services-

That he married a woman that was a slave—; and that by the savings of his long labors, he has since purchased his wife, and has two children, which she has born him: That he and his wife are far advanced in years, and is rendered very unhappy by the situation of his children, who are the persons that he would leave what little he has to, but who are in danger of being seized after he is dead as vacant property—and confiscated to the use of the State.

Your Petitioner humbly asks your attention to his appeal to your humanity—and begs even to refer to the testimonials of many honorable gentlemen who have certified to his good conduct and subordinate demeanor during his whole life: and to the testimonial of the lady from whom he purchased his wife to the same purport And prays that you would be pleased to sanction his children's freedom by allowing them to follow the consideration of their father—

State of South Carolina  
City of Charleston

The subscribers, having understood that Moses Irvine, a free man of Colour is about to petition the Legislature to grant the emancipation of his wife and two small children, beg leave to state, that the Said Moses Irvine has been a member of the Baptist Church in Charleston since the year 1790; that during a great part of that time he has been authorized by the Church to teach and exhort the coloured People—and that in this Capacity as well as in every other, whether publick or private, in which he has been called to act he has behaved himself with such propriety as to secure the confidence and esteem of the Church and of those who know him. They believe the statement, which he makes in his petition, of events which transpired during the Revolution to be correct.—

The Subscribers also state, that his wife, Harriet, lately the servant of Miss Roupell, is also a member of this church, of good standing and character, and esteemed by the Church.—

It is with pleasure further added, that the Salutary influence of example from the leading coloured members of this church has been such, that in the threatened insurrection of coloured people in this city some years past, not one connected with the Baptist Church was found in any degree implicated.—



The Subscribers therefore hope that if the Legislature in their wisdom, should think it safe in any instance to depart from those laws which heretofore have been enacted and are now in force, on the Subject of emancipation, they may do so in favour of their present Petitioner,

October 19<sup>th</sup> A.D. 1829

Basil Manly, Pastor

Of the Bapt Chh in Charles<sup>n</sup>.

Wm Inglesby, Deacon

Robt Brodie, Deacon

AC Smith, Deacon

Oliver Fuller R Heriot Edward G Sass Joseph R Cowen John H Jeffords

W. Riley Charles M Furman Peter G Gerard Thomas B Swift

Charleston November 14. 1836

The Subscriber would state that since the date above written, Moses Irvine has continued the same work of good order, which the tenor of his life would lead his friends to expect. His uniform regard to truth justifies me in stating that in my opinion reliance can be placed in any thing he would say concerning facts which transpired within his own observation.—I have seen a certificate of his former owner, respecting his age, by which it would appear that he is not less than 75 years of age at present.—

B. Manly.

Pastor of Bap. Ch.

Charleston N<sup>vm</sup> 29<sup>th</sup> 1886

My dear Sir

The Bearer of this was an old and faithful servant of my Grandfather. I have frequently been on his knee during my boy-hood, and my recollections of him as referred to that period of life are strong as to the excellence & goodness of his character- Since having obtained his freedom I believe thirty years ago from my Grandfather his conduct as a member of the community has been unimpeachable. If you can aid in the attainment of what he so ardently desires, as set forth in his petition, you would confer the greatest happiness on him: and I presume no serious objection or opposition would be made to it on the score of policy—Wishing you a pleasant session—I remain Dear Sir

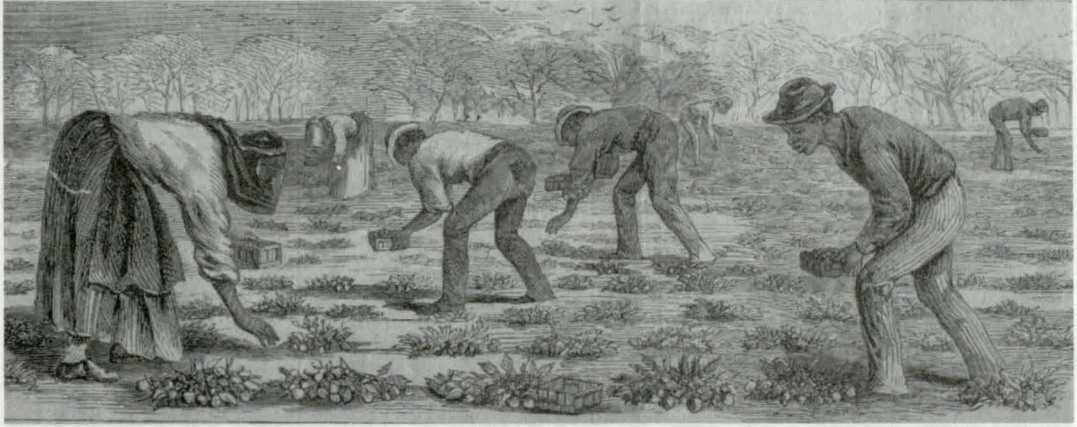
Very Sincerely Your's

J<sup>os</sup> Lynch

*Records of the General Assembly, Petitions, 1836, no. 4.*



## DANGER OF FRATERNIZATION: THE STATE vs EZRA ENTZMINGER



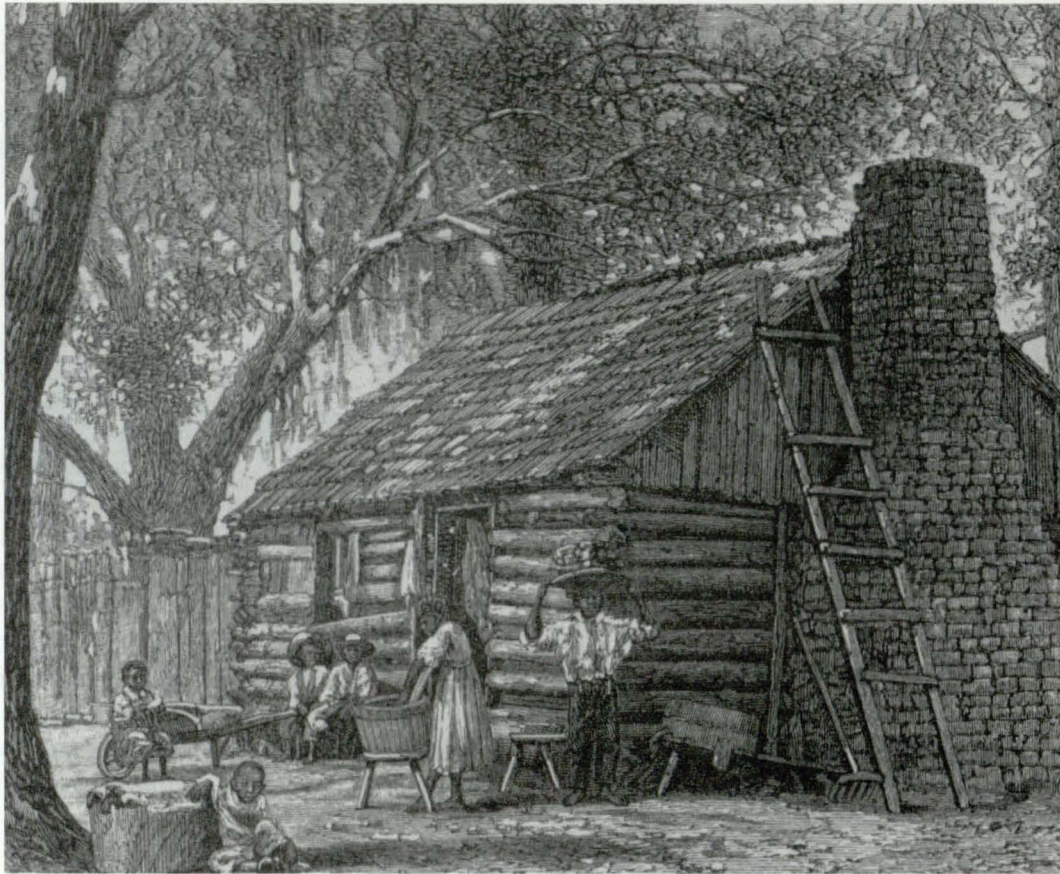
The fear of slave insurrection fueled the enactment of several statutes restricting the extra curricular activities of slaves. As early as 1740, the colony prohibited large gatherings of African Americans but made exceptions for religious instruction, weddings, and funerals. The chore of dispersing illegal assemblages fell to the patrol.

The patrol, organized at the militia beat level, consisted of a group of citizens who were authorized to patrol the neighborhood and enforce the various slave restrictions. In particular, it looked for slaves who had left their plantations or farms without a legitimate pass and for gatherings that could become breeding grounds for insurrection. The law required all citizens to help the patrol conduct its duties. Often the zeal with which the patrol broke up a meeting or “corrected” slaves, however, became a source of contention with others in the community.

Ezra Entzminger was born about 1800 in northern Richland District. He lost his father at an early age and presumably was reared by his older half brothers. Entzminger became a successful farmer just across the border in Fairfield District, acquiring both slaves and land. By 1840, he owned eleven slaves. In 1860, he owned real estate valued at \$3400 and a personal estate valued at over \$12,000. He married after he was fifty years old. Records show he had died by 1880 and at that time, his wife and children were still living in Fairfield County.

This document sheds light on some of the complex relationships that existed in slaveholding South Carolina. Foremost is the patrol captain’s charge that Entzminger and his friends protected the African Americans from the patrol and threatened violence against it—it was unusual for individuals to interfere directly with the patrol when it was carrying out its legal obligations.





Sea Island plantation dwelling. *Harper's New Monthly*, November 1878, 851. Picture collection, SCDH.

There is also the suggestion that the social relationship Entzminger and his friends had with the slaves ran counter to community standards—generally, the community believed that dancing and socializing with slaves was tantamount to endowing them with a social status that equalled the slaveowners’.

The four men were charged with rioting and interfering with the patrol. In January of 1843, a jury found them guilty, and each man received a fine of fifty dollars and a jail term of one week.

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South Carolina  
Fairfield District

To any Lawful constable of  
said District

Whereas information and complaint have  
been this day made before me Josiah H. Hunt  
Magt. F.D. by Henry Graham John Hargrett  
Hampton Watson James Hall & Matthew London  
that on Saturday night last at 10 o'clock in the  
morning in the said Dist. of Fairfield they  
were discharging the duty of patrol at which  
said hour they arrived at the house of Ezra Entz-  
minger where they found an unlawful assemblage  
of negroes perhaps fifty in number which  
unlawful assemblage were protected by said  
Ezra Entzinger they also found Samuel Newman  
John Johnson and John Crim dancing with the negroes  
and that Samuel Newman and John Crim also  
partook in protecting said negroes and made  
threats of violence against said patrol against the  
peace of the state. These are therefore to require  
you to apprehend the said Ezra Entzinger Samuel  
Newman John Johnson and John Crim and bring  
them before me or some other Magistrate of F.D.  
to answer to said Complaint and to be further  
dealt with as the law directs. Given under my  
hand and Seal this 11<sup>th</sup> day of Sept 1842

Josiah Hunt Magt. F.D.



South Carolina Fairfield District

Personally came before me Henry Dick capt. patrol  
John Haygood. Hampton Wooten James Hall Mathew Wooten  
and makes oath that on last night they at Rock  
the Sunday morning they went to the residence  
of Ezra Entyminger on the discharge of patrol  
duty. ~~where~~ they found an assemblage of ~~negroes~~  
(they think 50 in number) employed in feeding &  
dancing and when they the said patrol arrived  
the negroes were protected by Ezra Entyminger &  
threats of violence against the patrol the said patrol  
further state that there were other three men present  
dancing with the negroes and said Entyminger servant  
~~by George gave by Samuel Newman John~~  
Johnson & John Crim. Samuel Newman protect  
ed a negro girl in his arms - and one of  
Ezra Entyminger <sup>725107</sup> gave John Crim a stick with  
which he threatened violence on Las Hall and Samuel  
Newman had a large rock in his belt with which  
he threatened violence against said patrol  
known to before me. John Crim swore that he would

Sworn to before me  
Sept 11<sup>th</sup> 1822

Josiah Hurn and Margaret

H. W. Dickson

James Hall

S C Hazard

Hampton <sup>his</sup> & Wooten  
Matthew <sup>his</sup> & Wooten

*Records of Fairfield County, South Carolina, Court of General Sessions, Indictments, No. 67, 1843.*



South Carolina  
Fairfield District

To any Lawful constable of said district

Whereas information and complaint have been this day made before me Josiah Hinnant Magt F.D by Henry Dickson John Haygood Hampton Wooten James Hall & Mathew Wooten that on Saturday night last at 1 oclock in the morning in the said Dist of Fairfield they were discharging the duty of patrol at which said hour they arrived at the house of Era Entzminger where they found an unlawful assemblage of negros perhaps fifty in number which unlawful assemblage were protected by said Ezra Entzminger they also found Samuel Newman John Johnson and John Crim dancing with the negros and that Samuel Newman and John Crim also partook in protecting said Negros and made threats of violence agains said patrol against the peace of the state. these are therefore to require you to apprehend the said Ezra Entzminger Saml Newman John Johnson and John Crim and bring them before me or some other magistrate of sd Dist. To answer to said Complaint and to be further dealt with as the law directs. Given under my hand and Seal this 11<sup>th</sup> day of Sept 1842

Josiah Hinnant Magt

F.D.

*Records of Fairfield County, South Carolina, Court of General Sessions, Indictments, No. 67, 1843.*



South Carolina Fairfield District

Personally came before me Henry Dick capt patrol John Haygood Hampton Wooten James Hall Mathew Wooten and makes oath that on last night at 1 oclock Sunday morning they went to the residence of Ezra Entzminger in the discharge of patrol duty when they found an assemblage of negroes (they think 50 in number) employed in fidling & dancing and when they the said patrol arrived the negroes were protected by Era Entzminger & threats of violence against the patrole the said patrole further state that there were other three men present dancing with the negroes viz Samuel Newman John Johnson & John Crim Samuel Newman protected a negro girl in his arms - and one of Era Entzminger' negroes gave John Crim a stick with which he threatend violence on Jas Hall and Saml Newman had a large rock in his with which he threatend violence against said patrole

John Crim swore that he would Kill that d—d Hall

Sworn to before me

Sept 11<sup>th</sup> 1842

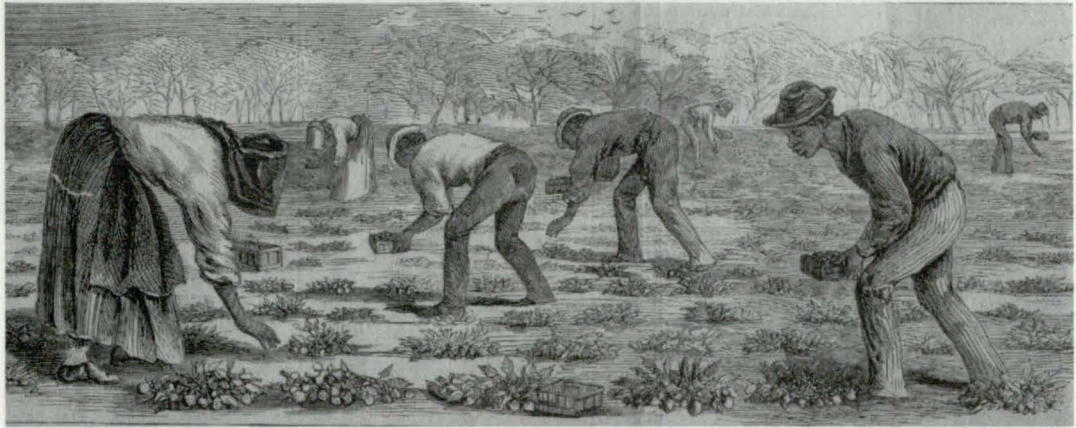
Josiah Hinnant Magt F D

H W Dickson  
James Hall  
D C Haigood  
Hampton Wooten  
Matthew Wooten

*Records of Fairfield County, South Carolina, Court of General Sessions, Indictments, No. 67, 1843.*



## THE DISSOLUTION OF A FAMILY: THE HUMBLE PETITION OF ELISHA BLACKMON



The law allowing emancipation only through the legislature caused many problems for slave owners who had children by their female slaves, for the legislature was disinclined to approve the many requests it received each year. Between 1820 and 1841, slave owners could transport their slaves to non-slave-holding states, where they could be emancipated. Once free, however, the ex-slaves could not return to South Carolina. In 1841, the General Assembly closed this loophole by declaring void any deed, bequest, or trust designed to emancipate slaves this way.

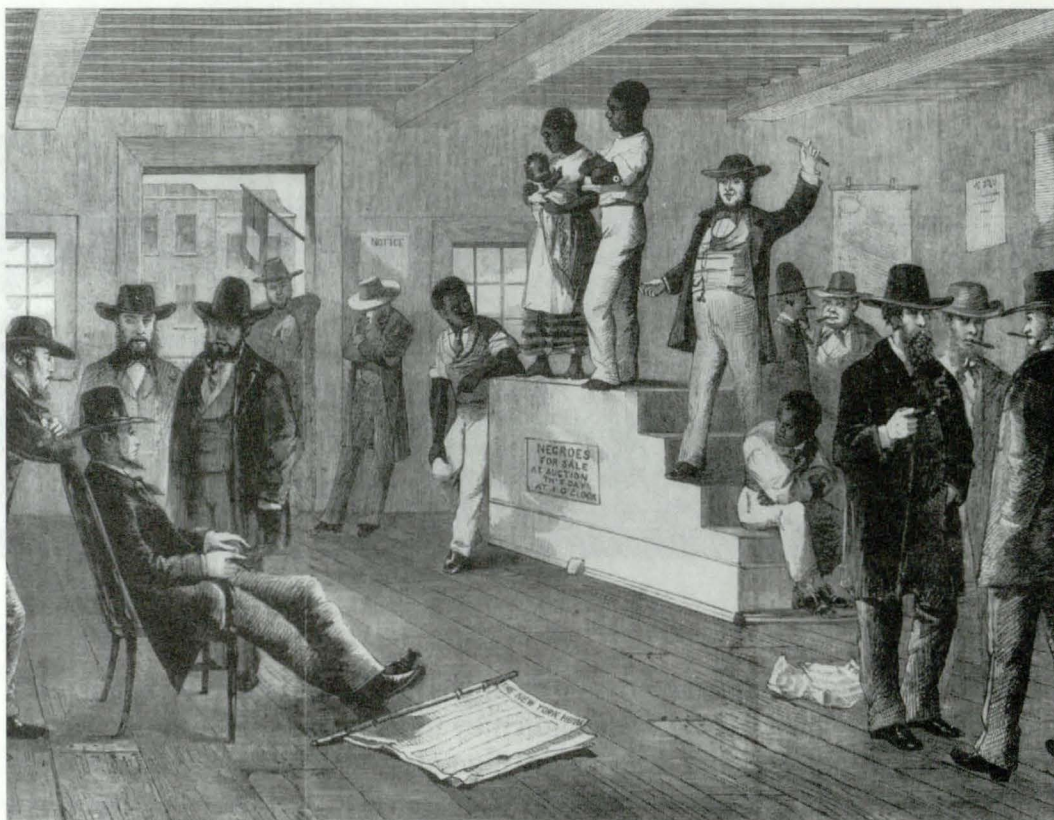
Samuel McCorkle was born before 1775. He obtained a 500-acre grant in Lancaster District in 1812 and added another 286 acres in 1821. The 1820 census lists him as over forty-five and the only white person in his household. He owned an adult female slave and four slaves under fourteen. No records have surfaced to suggest he was married or had children other than the slaves he named in his will.

McCorkle's 1837 will stipulated that his slaves John, Bob, Lund, and Isaac should be hired out to pay his debts, that his African American woman, Lydia, should get most of his personal belongings, and that she should be allowed to work to support herself and her two youngest children, Simpson and Harriet. He also arranged for the emancipation of all seven. The will did not mention his paternity.

To carry out McCorkle's wishes, Elisha Blackmon petitioned the legislature on 8 November 1839 for the emancipation of McCorkle's slaves. In December the legislature rejected it.

Early in 1844, a cousin, Milly Gordon, filed suit in the Court of Equity as McCorkle's next of kin. Elisha Blackmon, she claimed, had taken over McCorkle's property and slaves, had allowed the slaves to live as though free, and had large sums in trust for them. She asked the court to void McCorkle's bequest to the





*Sale of a slave family, Virginia, 1861. Illustrated London News. The Valentine Museum, Richmond, Virginia.*

slaves and to turn his estate over to her. The court ruled that unless Blackmon could obtain legislative emancipation, Gordon was entitled to the slaves and to the proceeds from their hire. On 5 December 1845, Blackmon petitioned the General Assembly for a second time. A week later, it rejected that petition.

On 2 February 1846, Samuel McCorkle's slave children were sold at a sheriff's sale. Numerous and distant heirs had come forward, and the proceeds were distributed among them.

#### SOURCES

United States Bureau of the Census, Population Schedules, Lancaster District, 1820, 183.

South Carolina Secretary of State, State Land Grants, Vol. 56, 416.

Lancaster District, Register of Mesne Conveyance, Deeds, Vol. K., 286.

South Carolina General Assembly: Petitions, 1839, No. 34; Journal of the House of Representatives, 1845, 98, 182.

Lancaster District, Court of Equity, Decree Book, 1837–1868. 124–30, 134–36.



To the Honorable the Senate & House of Rep-  
-resentatives of the State of South Carolina

The humble petition of Elisha Blackmon  
sheweth unto your Hon<sup>ble</sup> Body that Samuel M<sup>r</sup>  
Corteli late of Lancaster District died about the year  
1839 leaving an estate of negroes to be disposed of accord-  
ing to his last Will & testament - in the following manner  
to wit - "After the foregoing directions to my executor which  
concern the payment of his debts by selling his negroes) I do further  
direct that my Executor apply to the Legislature of the State of  
South Carolina and use their best endeavours with the same to pro-  
-cure the emancipation of them all that is my Negroes that is  
named Lydia and her children named John Robt. and Isaac  
Simpson - Samuel - and should they fail to procure the emancipation  
of them in this State then and in such case I direct my Executor to  
transport all of them to the Nearest nonholding Slave State in the Uni-  
-ted States or to the Free Colony in Africa if they choose to go there  
to live; I will that my Executor shall hire them out for such length  
of time as will Raise a sum of money sufficient to pay of all Reas-  
-enable Expences for to accomplish the same my Design and for to com-  
pensate them for their trouble & Expence in the executing of this my  
Will and testament" — — —

after the above, directions are given concerning the care  
the executor should take of by die the mortu. the distribution of  
of the household furniture & what articles to be sold for pay ment  
of debts: after which comes the following to wit — "I  
have Relations and Friends, but it is not my Will that they or  
any of them should ~~any~~ enjoy any part of the Property - I may  
be possessed of - and lastly I do hereby constitute & do appoint  
That Small and Elisha Blackmon Abt<sup>rs</sup> Executors of this  
my last Will and testament" —



Your Petitioner further sheweth that he qualified as Executor under the will & took upon himself the execution thereof but has been considerably harassed & prevented from executing the desires & intentions of his testator by bills filed against him in the Court of Equity & suits instituted in the same Court by persons representing themselves to be the next of kin of said McCrile - That Amos Blackmon and Raleigh Hammond have filed a bill against your Petitioner as Executor in the name of one Melly Gordon who is represented as the next of kin & who as it is said sold her interest to the said Blackmon & Hammond for the sum of one dollar

Your Petitioner further sheweth that the said bill in the name of Melly Gordon attempted to set aside the will on the ground that it was contrary to the laws of the State & it was then advised by the Chancellor that your Petitioner should at the next session petition your Hon<sup>ble</sup> body agreeably to the direction of 2<sup>d</sup> will to emancipate 2<sup>d</sup> negroes & that 2<sup>d</sup> McCrile left no next of kin, but those very remote, not nearer perhaps than second cousins - and that if said Blackmon & Hammond recover, the next of kin will not be benefited but by the trifling sum of the one dollar aforesaid -

And your Petitioner further sheweth that the said negroes viz. Bob John, Sam. Isaac, Simpson & Harriet are notoriously the offspring of the body of the said McCrile &c. - Your Petitioner has often heard him say so & furthermore that it was one of the strongest wishes of his old age to effect their emancipation - The said negroes are of good character not given to vice but well behaved & obedient. They are all young stout and of industrious habits fully able to



to make a support. (their mother Lydia having died <sup>about the time of</sup> ~~and~~ testator's death) - The said negroes are extremely anxious to have that freedom designed for them by their Father & to which they are justly entitled as your Petitioner believes by the Laws of South Carolina

And your Petitioner now prays your Hon<sup>ble</sup> Body as the executor of Samuel McCoskie (dec'd) - in as much as he was so directed by the Will & the s<sup>d</sup> negroes being the offspring of the body of said McCoskie - they desiring their emancipation being of good character & industrious habits & the north of River being very remote & not likely to be benefited in any event - having bartered away their interest - to emancipate the said negroes to wit Bot John Sam Isaac Simpson & Harriet in order that the purposes & directions of the last Will & testament of Samuel McCoskie (dec'd) may be carried out & accomplished by - your Petitioner as his Executor And your Petitioner will ever pray &c -

Nov 24<sup>th</sup> 1845 Elisha Blackmon



We the undersigned formerly neighbours & acquaintances  
of Samuel M<sup>c</sup>Corle (decd) do join with Elisha Blackmon  
his Executor in petitioning the Hon<sup>ble</sup> Senate & House  
of Representatives to emancipate the negroes the said Robt  
John Sam Isaac Simpson & Harriet belonging to the estate  
of said M<sup>c</sup>Corle - believing them to be the offspring of said  
M<sup>c</sup>Corle - & knowing too that he was anxious as well as his  
children in now for them to be liberated and we -  
further certify that they are of good character, well dis-  
posed & very well calculated to make a support not  
likely at any time to be troublesome or expensive to the com-  
munity - & to the State -

Nov 24<sup>th</sup> 1845.

Names,  
Dudley Haile  
John Taylor  
Lewis Haile  
~~Jefferson Bell~~  
John Small Jr  
L. J. Bell  
Simuel Bell  
James Bashin  
John J. Copeland  
Thomas Small Jr  
Thomas Small Sr  
Joh. B. Small  
Allen Small  
John J. Small  
John W. Bell  
John Stagner  
Chapman Hill  
Wm B. Small

Names,  
J. J. Small  
William S. Small  
John Williams, Junr  
G. D. Small  
Robert Bell  
John Coan  
Landy Johnson  
John J. Small  
Chapman Small  
Christopher Eastman  
Benjamin Blackmon  
Jerome Blackmon  
John E. Blackmon  
Uriah Blackmon  
J. B. Commons  
A. B. Blackmon  
L. Hurst  
Wm M. Kerma



To the Honorable the Senate & House of Representatives of the State of South Carolina

The humble petition of Elisha Blackmon sheweth unto your Honble Body that Samuel McCorkle late of Lancaster District died about the Year 1839 leaving an estate of negroes to be disposed of according to his last Will & testament in the following manner—to wit— “After the foregoing directions to my Executors (which concern the payment of his debts by hiring the negroes) I do further direct that my Executors Apply to the Legislature of the State of South Carolina and use their best endeavours with the same to procure the Emancipation of them all that is my Negros that is named Lydia and her Children Named John Bob Lund Isaac Simpson & Harriet and should they fail to procure the Emancipation of them in this State then and in such Case I direct my Executors to transport all of them to the Nearest nonholding Slave State in the United States or to the Free Colony in Africa if they Choose to Go their to live; I will that my Executor shall hire them out for such length of time as will Raise a sum of money sufficient to pay of all Reasonable Expenses for to accomplish the same my Design and for to Compensate them for their trouble & Expence in the executing of this my Will and testament”—

After the above; directions are given concerning the care the children should take of Lydia the mother the distribution of of the household furniture & what articles to be sold for payment of debts: after which comes the following to wit — “I have Relations and Kindred, but it is not my Will that they or any of them should Enjoy any part of the Property—I may die possessed of—and lastly I do hereby constitute & do appoint Tho<sup>s</sup> Small Sen<sup>r</sup> Elisha Blackmon Abr<sup>m</sup> [Ruben?] Executors of this my last Will and testament”—

Your Petitioner further sheweth that he qualified as Executor under the will & took upon himself the execution thereof but has been considerably harassed & prevented from executing the desires & intentions of his testator by bills filed against him in the Court of Equity, & suits instituted in the Same Court by persons representing themselves to be the next of kin of said M-Corkle— That Amos Blackmon and Raliegh Hammond have filed a bill against your Petitioner as Executor in the name of one Milly Gordon who is represented as the next of kin & who as it is said sold her interest to the said Blackmon & Hammond for the sum of one dollar

Your Petitioner further sheweth that the said bill in the name of Milly Gordon attempted to set aside the will on the ground that it was contrary to the laws of the State & it was then advised by the Chancellor that your Petitioner should at the next session petition your Hon<sup>ble</sup> Body agreeably to the directions of s<sup>d</sup> will emancipate s<sup>d</sup> negroes & that s<sup>d</sup> M Corkle left no next of kin, but those very remote, not nearer perhaps than second cousins—and that if said Blackmon & Hammond recover; the next of kin will not be benefitted but by the trifling sum of the one dollar aforesaid—



And your Petitioner further sheweth that the said negroes viz Bob John Lun Isaac Simpson & Harriet are notoriously the offspring of the body of the said McCorkle (dec'd) Your Petitioner has often heard him say so & furthermore that it was one of strongest wishes of his old age to effect their emancipation—

The said negroes are of good character—not given to vice, but well behaved & obedient—they are all young—stout and of industrious habits—fully able to make a support. (Their mother Lydia having died about the time of Testator's death)— The said negroes are extremely anxious to have that freedom designed for them by their Father & to which they are justly entitled—as your Petitioner believes by the Laws of South Carolina

And your Petitioner now prays your Hon<sup>ble</sup> Body as the Executors of Samuel McCorkle (dec'd) in as much as he was so directed by the Will & the sd negroes being the offspring of the body of said McCorkle—they desiring their emancipation—being of good character & industrious habits & the next of kin being very remote & not likly to be benefitted in any event—having bartered away their interest.—to emancipate the said negroes to wit Bob John Lun Isaac Simpson & Harriet in order that the purposes & directions of the last Will & testament of Samuel McCorkle (dec'd) may be carried out & accomplished by—Your Petitioner as his Executor— And your Petitioner will ever pray of—

Nov 24<sup>th</sup> 1845 Elisha Blackmon

We the undersigned formerly neighbours & acquaintances of Samuel McCorkle (dec'd) do join with Elisha Blackmon his Executor in petitioning the Hon<sup>ble</sup> Senate & House of Representatives to emancipate the negroes to wit Bob John Lun Isaac Simpson & Harriet belonging to the Estate of said McCorkle believing them to be the offspring of said McCorkle—& knowing too that he was anxious as well as his children are now for them to be liberated And we— further certify that they are of good character, well disposed & very well calculated to make a support not likely at any time to be troublesome or expensive to the community & to the state—

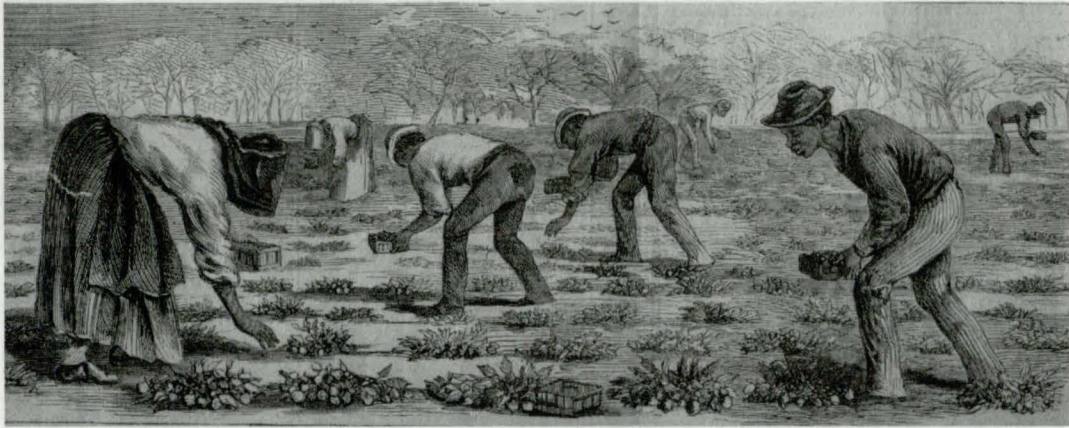
Nov 24<sup>th</sup> 1845

Signed  
Dudley Haile et al

*Records of the General Assembly, Petitions, 1845, no. 32.*



## ANTHONY'S HONOR: THE STATE vs ANTHONY



Controlling slaves was an ever-present concern in South Carolina. As early as 1690, South Carolina had established Magistrate and Freeholder courts to try slaves and free African Americans. These were *ad hoc* courts. They sat only when there was a case to be heard and were convened when a magistrate summoned another magistrate and three to five freeholders from the area. The summoning magistrate conducted the proceedings.

These courts had wide ranging authority. They could convict when either a magistrate and two freeholders or two magistrates and one freeholder agreed, and they could administer capital punishment. Trials were short and punishment swift. In general, the decisions of the courts could not be appealed, and the accused had few rights. At times, slaves were condemned and punished without their owner's knowledge. And even when the owners did know, there was little they could do to defend or protect their slaves.

This 1848 Fairfield County case affords insights into both the personality of the slave Anthony and the weaknesses of the Magistrate and Freeholders court system.

Anthony was a slave with an attitude. He resented the implication he had lied, he expected his master would as well, and, at great personal risk, he broadcast his feelings. According to testimony given by witnesses for the plaintiff, Anthony had been abusive. There had, he had said, "been some D—d lies told on him" that "his master would make some of them suffer for. . . ."

Unfortunately for Anthony, his master carried little weight with the Magistrate and Freeholders Court in which he was tried for insulting Turner Turkett. Nicholas Wyrick was both juror and witness; only one magistrate was listed; and





*Vegetable cultivation, Ashley River Plantation. Frank Leslie's Illustrated Newspaper, 19 June 1869, 213. Picture collection, SCDAH.*

the court met at the home of Turner Turkett, the recipient of the alleged abusive language. Of those who were present, at least Turkett, Hinnant, Williamson, and the Wyricks—Jesse and Nicholas—were neighbors. In the 1850 census, all five men listed their occupation as “planter.”

It appears from these proceedings that it was not only white southerners but also African Americans who valued the notion of southern honor.

#### SOURCES

*Statutes at Large*, VII, 345.

H. M. Henry, *Police Control of the Slave in South Carolina* (NY: Negro Universities Press, 1868. Reprint of 1914 edition), 58–65.

Terry W. Lipscomb and Theresa Jacobs, “The Magistrates and Freeholders Court,” *South Carolina Historical Magazine*, 77(1976) 62–65.

United States Bureau of the Census, *Population Schedules, 1850, Fairfield District, South Carolina*, 249, 251.)



South Carolina ~ At a Magistrate Court Convened  
 Fairfield Court ~ Turner Turket in Fairfield this  
 following Freeholders were present and  
 were duly qualified viz James Harrison  
 Jesse Myrick Nicholas Myrick William Neal  
 and John Brown and the court organized  
 The following testimony was then produced  
 Charles Williamsons Evidence sworn  
 he states that some time since on the road in  
 Samuel Nelsons lane on the road leading from  
 Columbia to Mansboro the following took place  
 After some abusive language to Mr Turket he said  
 Anthony said there had been some S-d he told  
 on him and that his master would make some  
 of them suffer for him it or that some of you  
 would have to pose it he said Mr Turket would  
 have to prove it. The witness thinks he Anthony  
 referred to Mr Turket when he said some of you  
 have told S-d lies. The witness says that he  
 Anthony used much abusive language quite unbecom-  
 ing to a negro and the at length ordered him to shut  
 his mouth. S. by Myrick *Q* you think the abusive  
 language was unprovoked A. he had no provocation  
 Nicholas Myrick was then qualified  
 thinks he heard Anthony give Mr Turket the S-d  
 lie and that he would die in his tracks rather than  
 Mr Turket should whip him he concurs in what  
 Mr Williamsons he says the conduct was altogether  
 unprovoked - This evidence was then closed  
 The sentence of the court is that Anthony receive  
 one Hundred Lashes put on moderately  
 Jacob H. H. M. M. ~ Nicholas Myrick  
 James Harrison ~ Wm Neal  
 Jesse Myrick ~ Jno Brown



South Carolina }  
Fairfield Dist }

At a Magistrate Court Convened Turner Turkets in Fairfield the following freeholders were present and were duly qualified viz James Harrison Jesse Wyrick Nicholas Wyrick William Veal and John Broom and the court organized

The folloing testimony was then produced Charles Williamsons Evidence sworn he states that some time since on the road in Daniel Nelson's lane on the road leading from Columbia to Winnsboro the folowing took place After some abusive language to Mr Turket he ~~said~~ Anthony said there had been some D—d lies told on him and that his master would make some of them suffer for ~~him~~ it or that some of you would have to prove it he said Mr Turket would have to prove it the witness thinks he Anthony refered to Mr Turket when he said some of you have told D—d lies The witness says that he Anthony used much abusive language quite unbecoming to a negro and he at lenght orderd him to shut his mouth Q. by Wyrick Do you think the abusive language was unprovoked A. he had no provocation

Nicholas Wyrick was then qualifid Thinks he heard Anthony give Mr Turket the D—d lie and that he would die in his tracks rather than Mr. Turket should whip him he concurs in what Mr Williamson he says the conduct was altogether unprovoked—The evidence was then closed The sentence of the court is that Anthony recieve one Hundred Lashes put on moderately

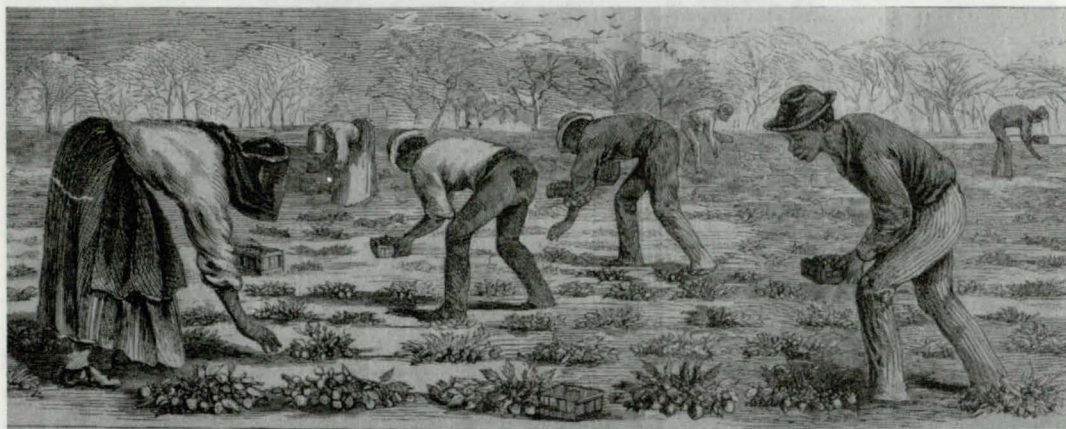
Josiah Hinnant Magt  
James Harrison  
Jesse Wirick

Nicholas Wirick  
Wm Veal  
Jno Broom

*Records of Fairfield County, South Carolina, Court of Magistrates and Freeholders, Trial Papers, 16 September 1848.*



## HOW DID MARY DIE?: THE STATE vs A DEAD BODY



Justice is a two-edged sword. Courts dispense it not only to maintain order but also to protect citizens.

The Court of General Sessions, among other things, investigates unexpected deaths. Its investigation begins with a coroner's inquisition. The coroner summons a jury to hear evidence and to render a verdict concerning the death. If the jury rules the death accidental, the inquiry ends; if it finds it was caused by a deliberate injury, the court itself will hear the case.

This 1851 coroner's inquisition from Greenville District illustrates the difficulties juries often faced when they tried to establish the cause of death. It also shows the physical perils many slaves faced in antebellum South Carolina.

The lack of embalming complicated matters in this case, for the body was not examined until five days after burial. Though Magistrate Cox's reports indicate that the jury believed "the deceased might have come to her death from injuries inflicted by the hands of Wesley Pattison," the decomposition of the body prevented it from establishing a clear cause of death.

Little is known of the principals. The index to the 1850 South Carolina population schedule for Greenville District lists neither Jackson nor Wesley Patterson. Eight of the jurors—W. H. Cureton, Samuel Campbell, Josiah Pollard, John Pollard, Hampton Tollitson, John Ashmore, David McCullough, John Garrison, and a Dr. F. A. Peritt—living in close proximity—are listed on the 1850 Greenville District census.





*Cast-iron effigy of enslaved African American, Andiron c.1790. Collection of Robert H. Mackintosh, Jr. (Photograph, Alexia J. Helsley).*

**SOURCES**

United States Bureau of the Census, Population Schedules, Greenville District, South Carolina, 1850, 409, 426, 431.

Alexia J. Helsley and Michael E. Stauffer, *South Carolina Court Records: An Introduction for Genealogists* (Columbia: South Carolina Department of Archives and History), 1993, 11.



State of South Carolina } To any Constable  
 Greenville District } of Said District  
 These are to require you immedi-  
 ately on receipt ~~hereof~~ and sight hereof to  
 Summon and warn verbally or otherwise  
 fourteen men of Said District to be and  
 appear before me Asaiah Cox Magistrate  
 acting as Coroner for Said Dist. at Jack  
 Pattersons in said District between the  
 hours of Eight and ten o'clock on the 12<sup>th</sup>  
 of this instant. They and there to inquire  
 upon the view of a <sup>body of</sup> certain person there  
 lying dead how she came to her death  
 Fail not herein as you will answer the  
 contrary at your peril Given under my  
 hand and sent this 11<sup>th</sup> July 1851  
 Asaiah Cox  
 acting as Coroner

21 July 1851 in Records of Greenville County, South Carolina, Court of General Sessions, Coroner's Inquisitions, Box 1, c. 1849-1883.



I have by virtue of the within Warrant summons<sup>ed</sup>  
the following men to act as jurors on the within  
inquest thates Drs Berry & Perritt. John Ishmore  
John Pollard Samuel Campbell David McCull  
ough P. D. Cureton W. H. Cureton John Westfield  
Hampton Ellitson Josiah Pollard John Charles

Incl Charles B. D. Garrison  
W. L. M. M. M. S. C. D.

Wm State  
vs  
Dead Body

Warrant  
for jurors

Seventh day of July  
Acting as Coroner

21 July 1851 in Records of Greenville County, South Carolina, Court of General Sessions,  
Coroner's Inquisitions, Box 1, c. 1849-1883.



State of South Carolina } To my lawful Constable  
 Greenville District } of said  
 I say as much as there is  
 an inquest to be held at Jack Pattersons  
 in said Dist. on the 12<sup>th</sup> of this instant between  
 the hours of eight and ten o'clock over the  
 body of a certain Person there lying dead  
 There are therefore to require you to  
 summon Mrs Elizabeth Charles Mrs  
 Pickett Belovate Halcom Susanna Alexander  
 and Sarah Patterson to be and appear  
 at the time and place above mentioned  
 to give their evidence in the case on the  
 part of the said State given under my  
 hand and seal this 11<sup>th</sup> July 1851  
 Isaiah Cox  
 Acting as Coroner

I have summonsed all the within ~~names~~ witne  
 ses personally  
 W L W Scruggs S. C.

21 July 1851 in Records of Greenville County, South Carolina, Court of General Sessions,  
 Coroner's Inquisitions, Box 1, c. 1849-1883.



State of South Carolina} To any Constable  
Greenville District} of Said District

These are to require you immediately on receipt and sight hereof to summon and warn verbally or otherwise fourteen men of Said District to be and appear before me Isaiah Cox Magistrate acting as Coroner for said Dist at Jack Pattersons in said District between the hours of Eight and ten oclock on the 12<sup>th</sup> of this instant Then and there to inquier upon the view of a boddy of a certain person there lying dead how she came to her death. Fail not herein as you will answer the contrary at your peril Given under my hand and sent this 11<sup>th</sup> July 1851

Isaiah Cox  
Acting as Coroner

I have by virtue of the within warrant summoned the following men to act as jurors on the within inquest that is Dr Berry & Perritt, John Ashmore John Pollard Samuel Campbell David McCullough P. D. Cureton W. J H Cureton, John Wesfield Hampton Tollitson Josiah Pollard John Charles Joel Charles B. D. Garrison

W.L.W.A Scruggs LC

State of South Carolina} To any lawful Constable  
Greenville District} of said

In as much as there is an inquest to be held at Jack Pattersons in said Dist on the 12th of this instant between the hours of eight and ten oclock on the boddy of a certain Person there lying dead. These are therefore to requier you to summon Mrs. Elizabeth Charles Mrs Pickett Belvaret Holcom Susanna Alexander and Sarah Patterson to be and appear at the time and place above mentioned to give their evidence in the case on the part of the said State given under my hand and Seal this 11th July 1851

Isaiah Cox  
Acting as Coroner

I have summonsed all the within witnesses personally

W L W A Scruggs L.C.

*21 July 1851 in Records of Greenville County, South Carolina, Court of General Sessions, Coroner's Inquisitions, Box 1, c. 1849-1883.*



State of South Carolina In as much as I  
 Greenville District was informed on  
 the 11<sup>th</sup> of this instant  
 by Joel Charles <sup>that</sup> there was a negro woman  
 found dead at Jackson Pattersons in  
 said Dist. on the 7<sup>th</sup> inst. and that it was  
 suspected that there had been violence  
 used on her

I therefore proceeded to impanel  
 a jury and had her disinterred the  
 the 12<sup>th</sup> inst. which body was in such  
 a state of decomposition that it was  
 almost impossible to determine how she came  
 to her death and the jury differed in their  
 verdict and did not decide until near  
 dark at which time a part of the jury  
 left the place and said they were going  
 home I then said to the foreman that he  
 must make some report in the case  
 then the balance of the jury made the annexed  
 report and signed it. At about which  
 time the balance of the jury returned but  
 would not sign the report because it did not  
 say that negro came to her death by the hands  
 of Wesley Patterson given under my hand  
 and seal this 12<sup>th</sup> July 1851

Isaac Cox M.D. Acting as Coroner

21 July 1851 in Records of Greenville County, South Carolina, Court of General Sessions,  
 Coroner's Inquisitions, Box 1, c. 1849-1883.



South Carolina  
 Greenville District }  
 The inquisition indicted  
 taken at Jackson Patterson in Greenville  
 District & State aforesaid the 2<sup>nd</sup> day of July  
 A.D. 1851 before Mr Isaac Cox Magistrate  
 acting as Coroner for said District upon view  
 of the body of a negro woman slave belonging  
 to William Patterson of the State & District aforesaid  
 said, then & there lying dead by oath of  
 Jos Bennett & Berry John Johnson John  
 Pollard Lawrence Campbell George C. Cullough  
 P. D. Cranton W. H. Cranton John Westfield Hampton  
 Sullivan Josiah Pollard John Charles Joel Chas. J.  
 B. J. Garrison being a lawful jury of inquest  
 who being charged & sworn to inquire for the  
 State of South Carolina where & by what means  
 the said negro slave came to her death  
 upon their oath do say that upon examination  
 five days after the death the body was in  
 a state of decomposition that our examination  
 was not entirely satisfactory but we found  
 two marks of violence one on the right arm  
 and one over the right scapula neither of which  
 however we had regard of a nature sufficient  
 to have caused death under ordinary circumstances

21 July 1851 in Records of Greenville County, South Carolina, Court of General Sessions,  
 Coroner's Inquisitions, Box 1, c. 1849-1883.



and proper treatment. But from the evidence of witnesses sworn we incline to the belief that there might have been violence inflicted which might have caused death upon the head or throat those parts being in so great a state of decomposition that it was impossible to determine whether there had been injuries inflicted on those parts or not. The brain upon examination was found in such a state of putridity as to be almost in a fluid condition. The soft parts about the throat having also been almost entirely destroyed by the process of decomposition.

We therefore are of opinion that the deceased might have come to her death from injuries inflicted by the hands of Wesley Peterson on the 27<sup>th</sup> ult. by means unknown at Jackson Peterson, in State & District aforesaid. In witness whereof  
 Isaac Cox Magistrate acting as Coroner  
 for District aforesaid and jurors aforesaid  
 to this inquisition have interchangeably put our hands & seals the day & year above mentioned

Joseph Cox M.D. *JCB*  
 acting as Coroner  
 J.A. Perrett M.D. *JAP*  
 Foreman of the jury of inquest



State of South Carolina  
Greenville District

In as much as I was informed on the 11th of this instant by Joel Charles that there was a negro woman found dead at Jackson Pattersons in said Dist. in the 7th Inst and that it was suspected that there had been violence used on her.

I therefore proceded to impanel a jury and had her disintered this the 12th Inst which boddy was in such a State of decomposition that it was almost impossible to determine how she came to her death and the jury differed in there virdict and did not decide untill near dark at which time a part of the jury left the place and said they was going home I then said to the forman that he must make some report in the case then the balance of the Jury made the annexed Report and assigned it. At about which time the balance of the Jury returned but woodnot sign the report because it did not say that negro came to her death by the hand of Westley Patterson given under my hand and Seal this 12th July 1851

Isaiah Cox MGD Acting as Coroner

*21 July 1851 in Records of Greenville County, South Carolina, Court of General Sessions, Coroner's Inquisitions, Box 1, c. 1849-1883.*



South Carolina  
Greenville District

An inquisition indented taken at Jackson Pattisons in Greenville District & State aforesaid the 12th day of July AD 1851 before Mr. Isiah Cox Magistrate acting as Coroner for said District upon view of the body of a negro Woman slave belonging to William Pattison of the State & District aforesaid, then & there lying dead by oaths of Drs Perritt & Berry John Ashmore John Pollard Samuel Campbell David McCullough P. D. Cureton W. H. Cureton John Westfield Hampton Tollison Josiah Pollard John Charles Joel Charles B. D. Garrison being a lawful jury of inquest who being charged & sworn to inquire for the State of South Carolina when & by what means the said negro Slave Mary came to her death upon their oaths do say that upon examination five days after Burial the body was in Such a state of decomposition that our examination was not entirely satisfactory but we found two marks of violence one on the right arm and one over the right scapula, neither of which however do we regard of a nature sufficient to have caused death under ordinary circumstances and proper treatment. But from the evidence of witnesses sworn we incline to the belief that there might have been violence inflicted which might have caused death upon the head or throat—those parts being in so great a state of decomposition that it was imposible to determine whether there had been injuries inflicted on those parts or not. The brain upon examination was found in such a state of putricity as to be almost in a fluid condition. The Soft parts about the throat having also been almost entirely destroyed by the process of decomposition. We therefore are of opinion that the deceased might have come to her death from injuries inflicted by the hands of Wesley Pattison on the 27 ult. (Vz) or a person unknown at Jackson Pattisons in State & District aforesaid. In witness whereof I Isiah Cox Magistrate acting as Coroner for District aforesaid and jurors aforesaid to this inquisition have interchangeably put our hands & seals the day & year above mentioned

Isiah Cox MGD  
acting as Coroner  
T. A. Perritt MD  
Foreman of The jury of inquest

*21 July 1851 in Records of Greenville County, South Carolina, Court of General Sessions, Coroner's Inquisitions, Box 1, c. 1849–1883.*



Evidence taken on the within inquisition  
by me Justice of the Peace acting as Coroner

Mr Jackson Patterson Sworn States that  
he found the negro woman dead in her cabin  
on Monday morning the 7<sup>th</sup> inst. She was as well  
as usual on Sunday morning he saw a few  
strips over her shoulders that he and his  
brother Waddy buried her the same evening  
said Waddy Patterson told him that he had  
whipped her a short time previous

Mr Samuel Patterson Sworn States that she  
saw Waddy Patterson whip the negro on yesterday  
was two weeks and that he needs no other  
weapons than switches and that the negro  
was as well as usual on Sunday evening the  
6<sup>th</sup> inst.

Mr Elizabeth Charles Sworn States that she  
saw the dead body on Monday the 7<sup>th</sup> inst.  
that she saw no marks of violence  
but did not examine the body

Mrs Pickett Sworn States Waddy Patterson  
told her that he had whipped the negro  
with a handful of sprouts and that  
he gave her two hundred lashes she  
also states that she saw the negro after  
she was whipped and <sup>she</sup> complained  
of being sore

John Hutchinson Sworn States that he  
heard Waddy Patterson say on the 27<sup>th</sup>  
of June last that he would conquer the  
same negro or kill her and that he  
Patterson told him that he had whipped  
her severely and after the negro was  
dead said he was glad of it

21 July 1851 in Records of Greenville County, South Carolina, Court of  
General Sessions, Coroner's Inquisitions, Box 1, c. 1849-1883.



Evidence taken on the within inquisition by one Isaiah Cox Magistrate acting as Coroner

Mr Jackson Patterson Sworn states that he found the negro woman dead in her cabbin on monday morning the 7<sup>th</sup> inst She was as well as usual on Sunday morning he saw a few Stripes over her Shoulders that he and his Brother Westly buried her the same evening said Westly Patterson told him that he had whiped her a short time previous

Mrs Sarah Patterson Sworn States that she saw Westly Patterson whip the negro on yesterday was two weeks and that he used no other weapons than Switches and that the negro was as well as usual on Sunday evening the 6th inst

Ms Elisabeth Charles Sworn Stats that she saw the dead boddy on monday the 7th inst. that she saw no marks of violence but did not examine the boddy

Mrs Pickett Sworn States Westly Patterson told her that he had whiped the negro with a handful of Sprouts and that he give her two hundred lashes She also states that she saw the negro after she was whiped and she complained of being sore

John Holcomb Sworn States that he heard Westly Patterson say on the 27<sup>th</sup> of June last that he would conquer the same negro or kill her and that he Patterson told him that he had whiped her severely and after the negro was dead said he was glad of it

21 July 1851 in Records of Greenville County, South Carolina, Court of General Sessions, Coroner's Inquisitions, Box 1, c. 1849-1883.

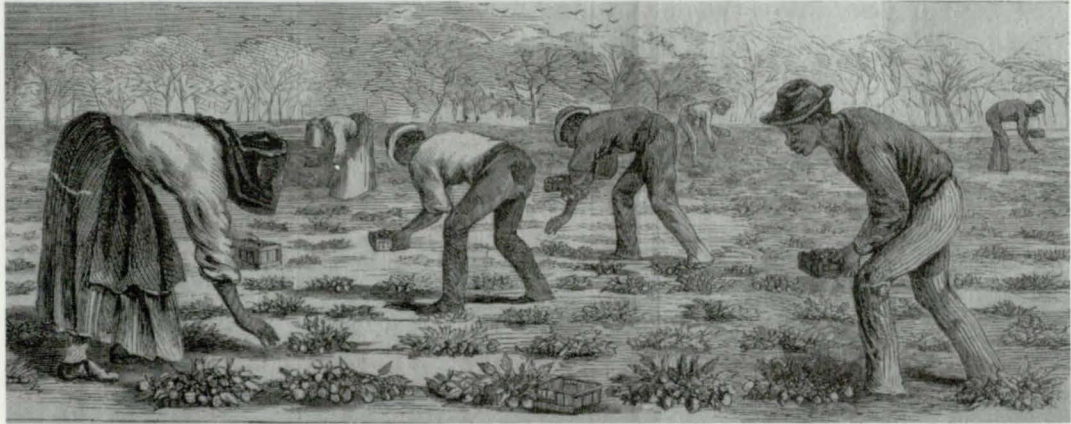


True Bill  
B. D. Townsend  
Foreman  
J. L. Lucas  
John L. Lucas Foreman

In 1852, a Marlboro District jury convicted Lewis A. J. Stubbs of murdering a slave. Stubbs was executed. Records of Marlboro County, South Carolina, Court of General Sessions, Indictments, 1852, no. 485.



## "THOU SHALT NOT KILL": THE STATE vs L. A. J. STUBBS



From the early-colonial period, South Carolina's laws prohibited the cruel and inhumane treatment of slaves. Slave masters could not kill or injure slaves or deprive them of food and clothing. Penalties varied. At first, a killing drew only a fine while the theft of a slave drew death. Public outcry led to passage of a law in the early-nineteenth century that imposed the death penalty for killing a slave. Exceptions existed in both law and practice. For killing in the heat of passion, the law required an offender to pay only a fine or spend six months in prison. Similarly, the tradition of correcting slaves and punishing runaways often gave juries leeway in their deliberations over a killing. Some cases brought before the courts, however, resulted in guilty verdicts and executions.

Lewis A. J. Stubbs (LAJ) came from a prominent family in Marlborough District. His grandfather, Lewis Stubbs, Sr., had acquired much land and many slaves, and when he died in 1845, his grandchildren benefited from the distribution of his holdings. LAJ was born about 1815 to Benjamin Stubbs, the son of Thomas Stubbs, Sr., and Clarissa Stubbs, the daughter of Lewis, Sr. At age twenty-one, LAJ acquired 229 acres of land. By 1840, he had ten slaves and was becoming a prominent member of the community. An accumulation of debt led to the seizure of his land and other goods in 1844. To protect LAJ's share of his estate, his grandfather had conveyed LAJ's portion to Cornelius S. Newton in trust for LAJ's children, giving LAJ only the use of the land and property until his death. Included in the property were a slave named Agnes and her child, Maria, the probable victim in this case.

Stubbs and his family had a history of violence. Between 1830 and 1852, twenty-six entries for the name "Stubbs" appeared on Marlborough District's criminal docket.



LAJ was charged with assault and battery in the spring of 1846; an uncle, John I. Stubbs, was charged with the cruel treatment of a slave in 1847.

The 1852 murder charge against LAJ detailed a pattern of cruel and inhumane behavior that portrayed the institution of slavery at its worst. The behavior it exposed, even if isolated, undercut the image of benevolent paternalism that the supporters of slavery carefully cultivated to quiet their critics. That the victim was only eight years old made the situation even more troubling. The jury found Stubbs guilty. He received the death penalty and was hanged on 6 January 1853.

#### SOURCES

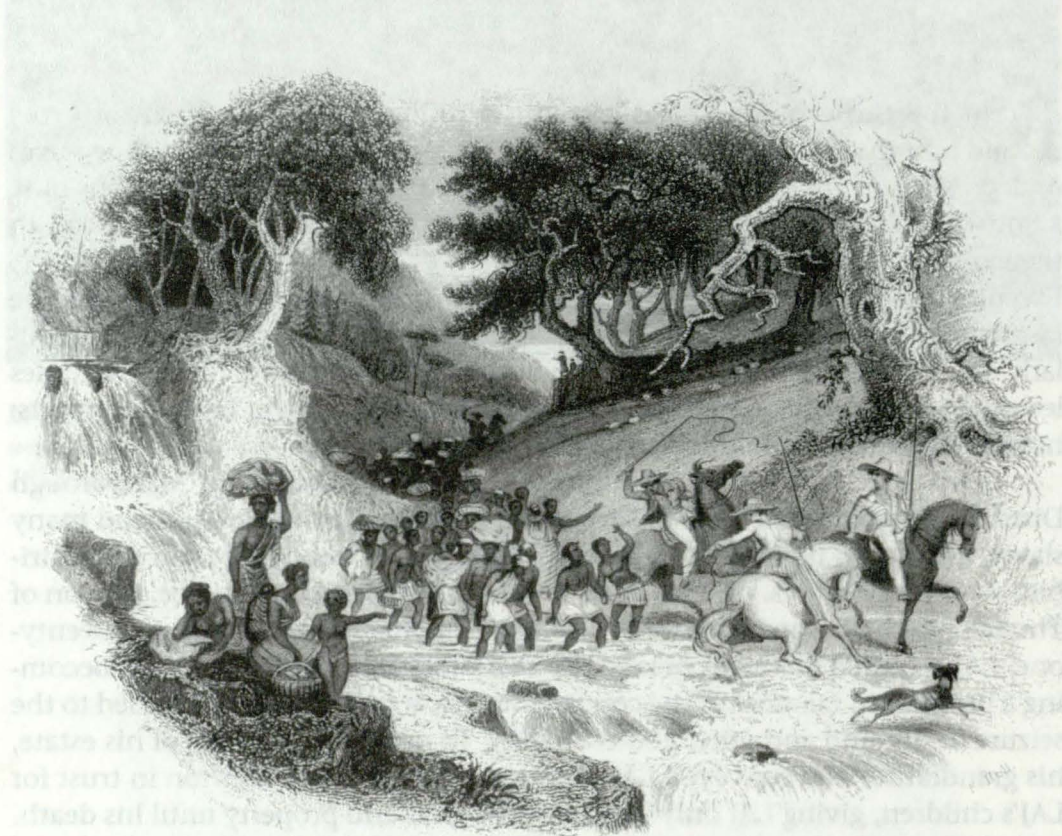
United States Bureau of the Census, Population Schedules, Marlboro District, South Carolina, 1840, 208; 1850, 156.

Marlboro District, Register of Mesne Conveyance, Deeds, Vol. 5, 339–41.

Marlboro District, Court of Equity, Bill for Partition, 1855, No. 112.

Marlboro District, Records of Probate Judge, Wills (WPA Will Transcripts), Vol. 1, 304, 312, 324–27.

Marlboro District, Court Of General Sessions, Criminal Dockets, 1800–1869.



*Traders force march slaves to market. The South Caroliniana Library, University of South Carolina.*



The State of South Carolina,  
 Marlborough District. To wit:

At a Court of Sessions, begun to be holden in and for the District of Marlborough, in the State of South Carolina, at Marlborough Court House, in the District and State aforesaid, on the second Monday in October, in the year of our Lord one thousand eight hundred and fifty two.

The Jurors of and for the District aforesaid, in the State aforesaid, that is to say:

Upon this oath present, that Lewis A. J. Stubbs, of the District of Marlborough in the State of South Carolina, not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil, and of his malice aforethought, contriving and intending, feloniously, wickedly, maliciously, deliberately and of his malice aforethought, to Chain, Confine, beat, whip, starve, expose, hire and murder a certain negro girl slave named Maria, of tender years, the property of one Cornelius Newton (some times called Cornelius S. Newton) the said slave Maria, being in the possession and under the management & control of the said Lewis A. J. Stubbs, on the first day of May in the year of our Lord one thousand eight hundred and fifty two, and on divers other days and times between that day and the fourth day of August in the same year last aforesaid, with force and arms, at Marlborough Court House, in the District and State aforesaid, in and upon the said slave Maria, in the peace of God and of the said State, then and there being, feloniously, wickedly, maliciously, deliberately and of his malice aforethought, did make divers assaults; and that the said Lewis A. J. Stubbs, on the said first day of May in the year last aforesaid, and on the said divers other days and times between the said first day of May and the said fourth day of August in the same year last aforesaid, at Marlborough Court House aforesaid, in the District and State aforesaid, <sup>of the value of fifty cents</sup> ~~one heavy Chain, to, upon and~~ around the neck of the said slave Maria, with a heavy Pad-Lock, feloniously, wickedly, maliciously, deliberately and of his malice aforethought, did fasten; and on the said first day of May in the year last aforesaid, and on the said divers other days and times between the said first day of May and the said fourth day of August in the same year last aforesaid, ~~did Chain and Confine~~ ~~upon~~ The said Lewis A. J. Stubbs, The said slave Maria,



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exposed, marked, and uncounted, <sup>a block and bill of wood, to</sup> to posts, to bars and to a horse running  
 at large in the enclosure of him the said Lewis A. J. Stubbs,  
 feloniously, wilfully, maliciously, deliberately and of his  
 malice aforethought, did chain and confine; And that  
 the said Lewis A. J. Stubbs, on the said first day of May,  
 in the year last aforesaid, and on the said divers other  
 days and times between the said first day of May and  
 the said fourth day of August, in the same year last  
 aforesaid, with sticks and with switches, of no value (which  
 said sticks and switches he the said Lewis A. J. Stubbs  
 in his right hand then and there, and on the said divers other  
 days and times, had and held) and with both the hands  
 and feet of him the said Lewis A. J. Stubbs, then and  
 there, and on the said divers other days and times, in  
 and upon the head, neck, breast, stomach, back, sides,  
 buttocks and legs of her the said slave named Maria,  
 then and there, and on the said divers other days and  
 times, feloniously, wilfully, maliciously, deliberately  
 and of his malice aforethought did beat, whip, strike  
 and kick, giving to the said slave Maria, then and there,  
 and on the said divers other days and times, as well  
 by the chaining and confining as aforesaid, as also by the  
 beating, whipping, striking and kicking the said slave  
 Maria as aforesaid, in and upon the head, neck, breast,  
 stomach, back, sides, buttocks and legs of the said slave  
 Maria, with the sticks and switches (as as aforesaid by the  
 said Lewis A. J. Stubbs, then and there and on the said  
 divers other days and times, in his right hand had and  
 held) and with both the hands and feet of him the said  
 Lewis A. J. Stubbs, several ~~wounds~~ wounds and bruises; and  
 that the said Lewis A. J. Stubbs on the said first day of May,  
 in the year last aforesaid, and on the said divers other days  
 and times between the said first day of May and the  
 said fourth day of August in the same year last aforesaid,  
 at Marlborough Court House aforesaid, in the District  
 and State aforesaid, feloniously, wilfully, maliciously, delib-  
 erately and of his malice aforethought, did neglect, omit  
 and refuse to give and administer, and to permit and  
 suffer to be given and administered to her the said slave  
 named Maria sufficient clothing, covering, meat and  
 drink necessary for the health, sustenance, support



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and maintenance of the body of her the said slave named Ulaia; By means of which said Chaining, Confining, beating, whipping, wounding, bruising, and exposure, and also of such neglecting and refusing to give and administer and to furnish and supply to be given and administered, to her the said slave named Ulaia, such clothing, covering, meat and drink, as were sufficient and necessary for the health, sustenance, support and maintenance of her the said slave named Ulaia, she the said slave named Ulaia, from the said first day of May, in the year last aforesaid, until the said fourth day of August, in the same year, at Marlborough Court House aforesaid, in the District and State aforesaid, did languish, and languishing did live; on which said fourth day of August, in the year last aforesaid, the said slave named Ulaia, at Marlborough Court House aforesaid, in the District and State aforesaid, of the said Chaining, Confinement, beating, whipping, starving, exposure, want of necessary clothing, covering, meat and drink, died: And so the Jurors aforesaid, upon their oaths aforesaid,

do say, that the said Lewis A. J. Stubbs, the said slave named Ulaia, in manner and form aforesaid, feloniously, wilfully, maliciously, deliberately and of his malice aforethought did kill and murder against the form of the act of the General Assembly of the said State in such case made and provided, and against the peace and dignity of the same State aforesaid.

And the Jurors aforesaid, upon their oaths aforesaid, do further present, That the said Lewis A. J. Stubbs, of the District of Marlborough, in the State of South Carolina, not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil, on the first day of May in the year of our Lord one thousand eight hundred and fifty two, and on divers other days and times between the said first day of May and the fourth day of August, in the same year last aforesaid, with force and arms, at Marlborough Court House, in the District and State aforesaid, in and upon <sup>a certain negro girl slave</sup> ~~the said slave named Ulaia~~, in the peace of God named Ulaia of two years, to wit, of the age of eight years, the property of one Cornelius Newton



(Some times called Cornelius S. Hudson) (the said slave man being in the possession and under the management and control of him the said Lewis A. J. Stubbs) ~~in and upon~~ in the peace of God and of the said State then and there being feloniously, wilfully, maliciously, deliberately, and of his malice aforethought, did make divers assaults, and that in the said Lewis A. J. Stubbs, on the said <sup>first</sup> day of May, in the year last aforesaid, and on the said <sup>divers</sup> other days and times between the said first day of May and the said fourth day of August in the same year last aforesaid, at Marlborough Court House aforesaid in the District and State aforesaid, one Chain of the value of fifty Cents, about the neck of him the said slave man, then and there, and on the <sup>said</sup> divers other days and times between the said first day of May and the said fourth day of August, in the same year last aforesaid, feloniously, wilfully, maliciously, deliberately and of his malice aforethought, did fix and fasten, and that the said Lewis A. J. Stubbs, with the Chain aforesaid, her the said slave named Maria, then and there and on the said divers other days and times between the said first day of May and the said fourth day of August in the same year last aforesaid, feloniously, wilfully, maliciously, deliberately and of his malice aforethought did choke, suffocate and strangle, of which said Choking, Suffocating and Strangling, she the said slave named Maria, from the said first day of May, in the year last aforesaid, until the said fourth day of August in the same year, at Marlborough Court House aforesaid, in the District and State aforesaid, did languish and languishing did live; on which said fourth day of August in the year last aforesaid the said slave named Maria, at Marlborough Court House aforesaid, in the District and State aforesaid, of the said Choking, Suffocating and Strangling, died. And so the Jurors aforesaid, upon their oaths aforesaid, do say, that the said Lewis A. J. Stubbs, the said slave named Maria, in manner and form aforesaid, feloniously, wilfully, maliciously, deliberately and of his malice aforethought did kill and murder, against the form of the Act of the General Assembly of the said State in such case made and provided, and against the peace and dignity of the said State aforesaid.

J. HARRIS  
Sol. E. C.



The prisoner having been found  
guilty, the sentence of the Court is,  
that he be remanded to the State  
Jail at Albany, there to be kept  
prisoner, in close custody, until the  
first day in January next, and  
on that day, between the hour of 10  
A.M. and three P.M., at a place of  
public execution he be hanged by  
the neck until his body is dead.

Edward Frost

[illegible]



I arrested the within  
 named L. A. J. Stubbs  
 and took him before  
 James H. Bollen &  
 he was committed  
 to Jail Aug 6<sup>th</sup> 1852  
 D. F. McIlwray  
 Jm D

Entry	25
Service	150
4 Miles	20
	<u>175</u>

Extended Aug 6<sup>th</sup> 1852  
 188 D. F. McIlwray  
 Jm D

Records of Marlboro County, South Carolina, Court of General Sessions, Indictments, 1852, no. 485.



State of South Carolina  
Marlborough District

By Jas H Bolton Coroner  
for the District. To W B F McGilvary Shff. of said  
District. Whereas by inquisition by me held  
on the 6<sup>th</sup> day of August 1852 over the dead body of  
Maria a negro girl the property of to W Newton Trustee of  
L A J Stubbs & children the jury empaneled for that purpose returned their Verdict  
that the said Negro was feloniously <sup>murdered</sup> by Lewis A J Stubbs of the District  
and state aforesaid by blows & exposure long continued of which she died  
on Wednesday the fourth day of this month  
There are Therefore to Command you forthwith to  
apprehend L A J Stubbs and bring him before  
me to be dealt with according to Law  
Given under my hand & seal This 6<sup>th</sup>  
day of August 1852 Jas H Bolton Coroner

Coroner Newton

Lewis A. J. Stubbs



The State of South Carolina }  
Marlborough District } To wit:

At a Court of Sessions, begun to be holden in and for the District of Marlborough, in the State of South Carolina, at Marlborough Court House, in the District and State aforesaid, on the second Monday in October, in the year of our Lord one thousand eight hundred and fifty two

The Jurors of and for the District aforesaid, in the State aforesaid, That is to say:

Upon their oaths, Present, that Lewis A. J. Stubbs, of the District of Marlborough in the State of South Carolina, not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil, and of his malice aforethought, contriving and intending, feloniously, wilfully, maliciously, deliberately and of his malice aforethought, to chain, confine, beat, whip, starve, expose, kill and murder a certain negro girl slave named Maria, of tender years, the property of one Cornelius Newton (Sometimes called Cornelius S. Newton) (the said Slave Maria being in the possession and under the management & control of the said Lewis A.J. Stubbs) on the first day of May in the year of our Lord one thousand eight hundred and fifty two, and on divers other days and times between that day and the fourth day of August in the same year last aforesaid, with force and arms, at Marlborough Court House, in the District and State aforesaid, in and upon the said Slave Maria in the peace of God and of the said State, then and there being, feloniously, wilfully, maliciously, deliberately and of his malice aforethought, did make divers assaults; and that the said Lewis A. J. Stubbs, on the said first day of May in the year last aforesaid, and on the said divers other days and times between the said first day of May and the said fourth day of August in the same year last aforesaid, at Marlborough Court House aforesaid in the District and State aforesaid, one heavy chain of the value of fifty cents to, upon and around the neck of the said Slave Maria, with a heavy Padlock, feloniously, wilfully, maliciously, deliberately, and of his malice aforethought, did fasten; and on the said first day of May in the year last aforesaid, and on the said divers other days and times between the said first day of May and the said fourth day of August in the same year last aforesaid, did chain and confine felon the said Lewis A. J. Stubbs, the said Slave Maria, exposed, naked, and uncovered, to a block and billet of wood, to posts, to trees and to a horse running at large in the enclosure of him the said Lewis A. J. Stubbs, feloniously, wilfully, maliciously, deliberately and of his malice aforethought, did chain and confine; and that the said Lewis A. J. Stubbs, on the said first day of May, in the year last aforesaid, and on the said divers others days and times between the



said first day of May and the said fourth day of August, in the same year last aforesaid, with sticks and with switches, of no value (which said sticks and switches he the said Lewis A. J. Stubbs in his right hand then and there, and on the said divers other days and times, had and held, and with both the hand and feet of him the said Lewis A. J. Stubbs, then and there, and on the said divers other days and times, in and upon the head, neck, breast, stomach, back, sides, buttocks and legs of her the said Slave named Maria, then and there, and on the said divers other days and times, feloniously, wilfully, maliciously, deliberately and of his malice aforethought did beat, whip, strike and kick, giving to the said Slave Maria, then and there, and on the said divers other days and times, as well by the chaining and confining as aforesaid, as also by the beating, whipping, striking and kicking, the said Slave Maria as aforesaid, in and upon the head, neck, breast, stomach, back, sides, buttocks and legs of the said Slave Maria, with the sticks and switches (so as aforesaid by the said Lewis A. J. Stubbs, then and there and on the said divers other days and times, in his right hand had and held) and with both the hands and feet of him the said Lewis A. J. Stubbs, several wounds and bruises; and that the Said Lewis A. J. Stubbs on the said first day of May, in the year last aforesaid, and on the said divers other days and times between the said first day of May and the said fourth day of August in the same year last aforesaid, at Marlborough Court House aforesaid, in the District and State aforesaid, feloniously, wilfully, maliciously, deliberately and of his malice aforethought, did neglect, omit, and refuse to give and administer, and to permit and suffer to be given and administered to her the said Slave named Maria sufficient clothing, covering, meat and drink necessary for the health, sustenance, support and maintenance of the body of her the said Slave named Maria; By means of which said chaining, confining, beating, whipping, wounding bruising, and exposure, and also of such neglecting and refusing to give and administer and to permit and suffer to be given and administered, to her the said slave named Maria, such clothing, covering, meat and drink, as were sufficient and necessary for the health, sustenance, support and maintenance of her the said Slave named Maria, She the said Slave named Maria, from the said first day of May, in the year last aforesaid, until the said fourth day of August in the same year, at Marlborough Court House aforesaid, in the District and State aforesaid, did languish, and languishing did live; on which said fourth day of August, in the year last aforesaid, the said Slave named Maria, at Marlborough Court House aforesaid, in the District and State aforesaid, of the said chaining, confinement, beating, whipping, starving, exposure, want of necessary clothing, covering, meat and drink, died: And so the Jurors aforesaid, upon their oaths aforesaid, do say, that the said Lewis A. J. Stubbs, the said Slave named Maria, in manner and force aforesaid, feloniously, wilfully, maliciously, deliberately and of his malice aforethought did kill and murder against the force of the act of the General Assembly of The said State in such case made and provided, and against the peace and dignity of the same State aforesaid.



And the Jurors aforesaid, upon their oaths aforesaid, do further Present, That the said Lewis A. J. Stubbs of the District of Marlborough, in the State of South Carolina, not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil, on the first day of May in the year of our Lord one thousand eight hundred and fifty two, and on divers other days and times between the said first day of May and the fourth day of August, in the same year last aforesaid, with force and arms, at Marlborough Court House, in the District and State aforesaid, in and upon a certain negro girl Slave named Maria of tender years, to wit, of the age of eight years, the property of one Cornelius Newton (some times called Cornelius S. Newton) (The said Slave Maria, being in the possession and under the management and control of him the said Lewis A. J. Stubbs) in the peace of God and of the said State then and there being feloniously, wilfully, maliciously, deliberately, and of his malice aforethought, did make divers assaults; and that he the said Lewis A. J. Stubbs, on the said first day of May, in the year last aforesaid, and on the said divers other days and times between the said first day of May and the said fourth day of August in the same year last aforesaid, at Marlborough Court House aforesaid in the District and State aforesaid, one chain of the value of fifty cents, about the neck of her the said Slave Maria, then and there, and on the said divers other days and times between the said first day of May and the said fourth day of August, in the same year last aforesaid, feloniously, wilfully, maliciously, deliberately and of his malice aforethought, did fix and fasten and that the said Lewis A. J. Stubbs, with the chain aforesaid, her the said Slave named Maria, then and there and on the said divers other days and times between the said first day of May and the said fourth day of August in the same year last aforesaid, feloniously, wilfully, maliciously, deliberately and of his malice aforethought did choak, suffocate and strangle, of which said choaking, suffocating and strangling, she the said Slave named Maria, from the said first day of May, in the year last aforesaid, until the said fourth day of August in the same year, at Marlborough Court House aforesaid, in the District and State aforesaid, did languish and languishing did live; on which said fourth day of August in the year last aforesaid the said Slave named Maria, at Marlborough Court House aforesaid, in the District and State aforesaid, of the said choaking, suffocating and strangling, died: And so the Jurors aforesaid, upon their oaths aforesaid, do say that the said Lewis A.J. Stubbs, the said Slave named Maria, in manner and force aforesaid, feloniously, wilfully, maliciously, deliberately and of his malice aforethought did kill and murder, against the force of the Act of the General Assembly of the said State in such case made and provided, and against the peace and dignity of the said State aforesaid.

Hanna

So<sup>l</sup>. E. Ct.

*Records of Marlboro County, South Carolina, Court of General Sessions, Indictments, 1852, no. 485.*



The Prisoner having been found guilty, the Sentence of the Court is, that he be remanded to the Jail of Marlboro district, there to be kept prisiner, in close custody untill the first friday in January next; and on that day, between the hours of 10 AM and three PM, at a place of public execution he be hanged by the neck untill his body is dead.

Edward Frost

*Records of Marlboro County, South Carolina, Court of General Sessions, Indictments, 1852, no. 485.*



I arrested the within  
named L A J Stubbs and  
took him before  
James H Bolten &  
he was committed  
to jail Aug 6th, 1852  
B F McGilvray  
SMD

B. F. McGilvray  
Sheff

Entry 95  
service 80  
4 miles 20  
\$1.98

Entered Aug 6th 1852  
B F McGilvray

State of South Carolina  
Marlborough District

By Jas A Bolton Coroner for the District To B F McGilvray  
Shff. of said District. Whereas by inquisition by me held on the 6th day of  
August 1852 over the dead body of Maria a negro girl the the property of C  
Newton Trustee of L A J Stubbs & children the Jury empowered for that purpose  
returnd their verdict that the said Negro was feloniously killed by Lewis A J  
Stubbs of the district and state aforesaid by blows & Exposure Long continued  
of which she died on Wensday the fourth day of this month.

These are theirfore to command you forthwith to apprehend L A J Stubbs  
and bring him before me to be dealt with according to Law

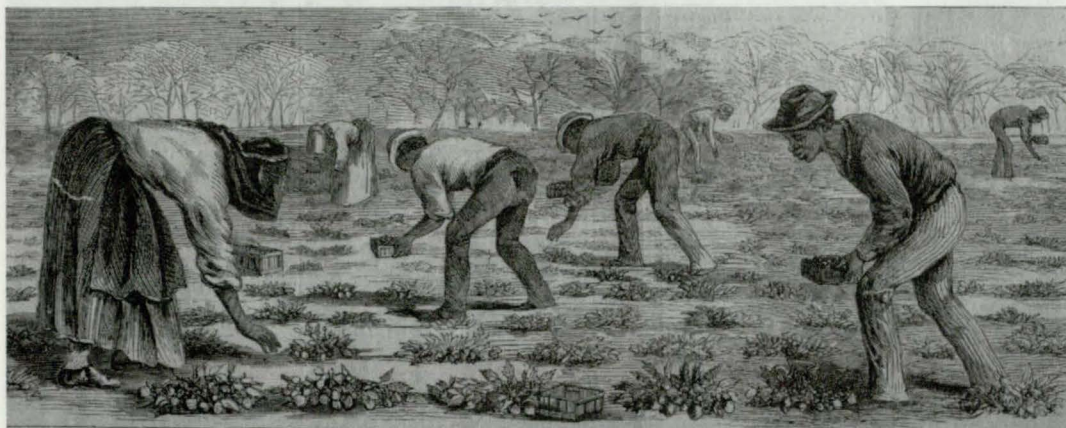
Given under my hand & seal this the 6<sup>th</sup> day of August 1852

Jas A Bolton  
Coroner

*Records of Marlboro County, South Carolina, Court of General Sessions, Indictments, 1852, no. 485.*



## TO LIVE AS IF FREE: REPORT OF COMMITTEE ON COLORED POPULATION



The practice of allowing slaves themselves to seek jobs or employment in return for payment to their owners, either of a set fee or of a percentage of wages earned, was a time-honored tradition. It was also a source for complaints.

In theory, it allowed slave owners to earn cash from the labor or skills of the slaves they were unable to employ productively in their households. In practice, it presented various and sometimes dangerous problems. For it undermined the strict controls the various slave laws called for. Slaves who hired out their time were issued general tickets or passes and usually provided their own room and board. They were away from their owners and out of their direct control.

The practice was used most often in urban areas like Charleston where slaves who were skilled carpenters, cabinetmakers, tailors, brickmasons, and mechanics were highly sought. The pool of cheap labor it created competed directly with the towns' white laborers, tradesmen, artisans, and mechanics, whose resentment of the slaves only grew when many of them masqueraded as free persons of color. In fact, the practice became a way to grant *de facto* freedom after the 1820 law restricting manumissions was passed.

This report was made by a committee of the General Assembly on several petitions filed by or on behalf of white mechanics and laborers. Their grievances were similar to those embodied in the presentments of district grand juries over the years. They complained that although it had been prohibited for years, the practice of slaves hiring out their time continued. They urged the General Assembly to follow their suggestions to correct the problem. The committee, however, did nothing. "We are," it said, "a slaveholding people habituated to slave labor." Two years down the road, this habit would lead to war.





Cotton was king in antebellum South Carolina. *Ballou's Pictorial*, 21 June 1856, 385. Picture Collection, SCDAH.

#### SOURCES

H. M. Henry, *The Police Control of the Slave in South Carolina* (New York: Negro Universities Press, 1968. Reprint of 1914 edition), 95–102.

Walter I. Fraser, Jr., *Charleston! The History of a Southern City* (Columbia: University of South Carolina Press, 1989), 105, 227.

Loren Schweninger, *Black Property Owners in the South 1790–1915* (Urbana: University of Illinois Press, 1990), 36–47.



House of Representatives  
Columbia Dec. 7<sup>th</sup> 58

The Committee on Colored Population to whom was referred The Petition of the South Carolina Mechanics Association of Charleston, also the Petition of the Mechanics & Working men of the City of Charleston, also The Memorial of the Charleston Mechanics Society also the Resolument of the Grand Jury for Charleston, Fall Term 1858, the three first "praying the passage of an Act more effectually to prevent Slaves from hiring their own time", and the latter recommending measures for the prevention of this evil" - also "a Bill to prevent Slaves from hiring out their own time and carrying on Mechanical pursuits on their own account"; also "a Bill to prevent Negroes from carrying on Mechanical pursuits", ask leave to Report: That they have given to this subject all the attention, which its gravity and importance demand, the various papers together with the Bills referred, aim at the same object, and your Committee in taking them up conjointly and making a general Report, think they will most fully discharge their duty and subserve the public good. - The Act of Assembly 1822 Act page 13 provided that no owner should hire to any male Slave his own time and that if any such Slave be so permitted to hire out his own time, he



should be liable to seizure and forfeiture in the same way as slaves coming into the state contrary to Law.

The Act of Assembly 1849, provided that the Act of Assembly 1822 should be so altered and amended as that it should not be lawful for any person owning or having in charge any male or female slave to permit such slave to hire his or her time labor or service and any person owning or having in charge a slave or slaves so offending shall be liable to a penalty of ~~\$50~~ to be recovered by Indictment one half to the informer and the other to the use of the District and repealed all provisions theretofore made in relation to the said offence.

One of the Bills before your Committee founded on the Petitions Memorials & other papers referred, proposes the same inhibition as contained in the Act of Assembly 1849 and superadds that the said slaves shall not "carry on any Mechanic or handicraft Trade in the name or on account of such slaves or as contractors going from place to place". It is manifest that the superadded words add nothing to the inhibition, they constitute merely a specification of one mode of a slave's hiring out his own time. The words in the previous clause are ample enough to cover the specification & the addition only tends to weaken the force of the inhibition.



The second clause of this Bill proposes to render the hirer as well as the owner or person in charge of the slave liable - and the third clause increases the penalty from \$50 to \$100, but gives no part to the informer, so that to sum up, the only change in the law proposed by this Bill is to include the hirer, to raise the penalty & to prevent the informer from getting a part of it.

The other Bill before your Committee to prevent Negroes from carrying on Mechanical pursuits is somewhat different from the former Bill - It prohibits the owner from permitting his slave to carry on any Mechanical pursuit, undertaking contracts, either on his own account or as agent of his owner or employer - and declares void any contract he shall so make - thus the Bill proposes only to punish the owner or person having charge of the slave who shall permit his slave to carry on business or contract, by fine and imprisonment at the discretion of the Judge - So much of this Bill as includes anything done by the Negro on his own account is clearly within the law as it now stands and the only alteration proposed is that no slave shall bind his Master in any contract which he shall make on his own account,



for it is too clear for the doubt which the Bill implies, that a contract made with a slave himself is absolutely void.

Neither of these Bills seems to the Committee to reach the object which they seek to attain. The evil complained of is: that Slaves are permitted to go at large, exercising all the privileges of free persons, making contracts, doing work and in every way living and conducting themselves as if they were not slaves. It seems to the Committee, that the evil is the same, whether the slave go working out on his own account, is a mechanic or handicraftsman, a stenceler, a laborer, a Porter, drayman or any thing else. The evil is he buys the control of his own time from his owner. By the payment of a stipulated amount of wages, he avoids the discipline & surveillance of his master and is separated from his observation and superintendence. We agree fully with the Memorialists, who complain of this evil - but the ground is much more general than the specific one set up in these Bills. The evil lies in the breaking down the relation between master and slave - the removal of the slave from the master's discipline & control and the assumption of freedom & independence on the part of the slave.

Records of the General Assembly, Reports, 1858, no. 1.



the idleness, disorder & crime which are consequential and the necessity thereby created for additional police regulations for keeping them in subjection and order and the trouble and expense which these involve.

Yet there is something to be said in relation to carrying this principle into effect - We are as a slave holding people habituated to slave labor - slave labor constitutes and ought to constitute the bulk of the agricultural and domestic labor of our State. Yet we have Towns & villages where ordinary labor is to be performed which can be done <sup>by</sup> either white or Negro hands - we are accustomed to black labor and it would create a revolution to drive it away - The domestic servants most of the common laborers & Porters, <sup>men</sup> Dray wagners, Cartmen and on the seaboard, the Stevedores are mostly Negroes - ~~but~~ <sup>but</sup> they all are included in the general inhibition of the acts of 1822 & 1849 - yet it would be impossible to have this sort of slave labor, if there must be a contract with the owner for every specific job; as for instance the transportation of a load in a wagon or dray, the carrying of a passenger ~~think to~~ <sup>think to</sup> or from a Rail Road &c



"The subject therefore is full of difficulty and until you can change the direction of the public prejudice, prepropension & habit, you never can enforce a law which conflict with them."

To carry out the provisions of the Acts of Assembly 1822 & 1849 to the full, would be to drive away all slave labor from any employment in the Towns & Villages of the State, except domestics &c. ~~Household~~. so that there must be inevitably an exception to the Rule which prohibits the slave working out as in the case of licensed draymen carters &c. ~~stevedores~~ ~~Porters~~ &c. There is certainly a defect in the Law as it now stands. The driver should be made alike liable to the penalty with the owner in the inhibited cases - for clearly if you cut off the demand you extinguish the supply -

With these views your Committee are of opinion that the best mode of reaching the evil will be to make the exceptions indicated, to include the driver as well as the owner, and to put the subject under the control of the magistrates throughout the State and <sup>require them</sup> to report to the Attorney General and Solicitors all violations of the Law on <sup>this subject, for punishment</sup>



House of Representatives

Columbia Dec<sup>r</sup> 7th 58

The Committee on Colored Population to whom was referred The Petition of the South Carolina Mechanics Association of Charleston, also the Petition of the Mechanics & Working men of the City of Charlestown, also The Memorial of the Charleston Mechanics Society also the Presentment of the Grand Jury for Charleston Fall Term 1858, the three first "praying the passage of an Act more effectually to prevent slaves from hiring their own time", and the latter recommending measures for the prevention of this evil"—also, "a Bill to prevent Slaves from hiring out their own time and carrying on Mechanical pursuits on their own account"; also "a Bill to prevent Negroes from carrying on Mechanical pursuits", ask leave to Report: That they haven given to this subject all the attention, which its gravity and importance demand, the various papers together with the Bills referred, aim at the same object, and your Committee in taking them up conjointly and making a general Report, think they will most fully discharge their duty and subserve the public good—The Act of Assembly 1822 Acts page 73 provided that no owner should hire to any male Slave his own time and that if any such slave be so permitted to hire out his own time, he should be liable to seizure and forfeiture in the same way as Slaves coming into the State contrary to Law.

The Act of Assembly 1849, provided that the Act of Assembly 1822 should be so altered and amended as that it should not be lawful for any person owning or having in charge any male or female slave to permit such slave to hire his or her time labor or service and any person owning or having in charge a Slave or Slaves so offending shall be liable to a penalty of \$50—to be recovered by Indictment one half to the informer and the other to the use of the District and repealed all provisions theretofore made in relation to the said offence.

One of the Bills before your Committee founded on the Petitions Memorials & other papers referred, proposes the same inhibition as contained in the Act of Assembly 1849 and super Adds that the said slaves shall not "carry on any mechanic or handicraft Trade in the name or on account of such slaves or as contractor going from place to place", It is manifest that the superadded words add nothing to the inhibition, they constitute merely a specification of one mode of a slave's hiring out his own time. The words in the previous clause are ample enough to cover the specifications & the addition only tends to weaken the force of the inhibition

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Yet there is something to be said in relation to carrying this principle into effect We are as a slave holding people habituated to slave labor - slave labor constitutes and ought to constitute the bulk of the agricultural and domestic labor of our State. Yet we have Towns & villages where ordinary labor is to be performed which can be done by either white or negro hands. we are accustomed to black labor and it would create a revolution to drive it away. The domestic servants most of the common laborers & Porters, Draymen, waggoners, cartmen and on the seaboard the Stevedores are mostly Negroes—but they all are included in the general inhibition of the acts of 1822 & 1849—yet it would be impossible to have this sort of slave labor, if there must be a contract with the owner for every specific job; as for instance the transportation of a load in a wagon or dray, the carrying of a passenger trunk to or from a Rail Road.



The subject therefore is full of difficulty and until you can change the direction of the public prejudice, prepossession & habit, you never can enforce a law which conflict with them.

To carry out the provisions of the Acts of Assembly 1822 & 1849 to the full, would be to drive away all slave labor from any employment in the Towns & villages of the State except domestics etc so that there must be inevitably an exception to the Rule which prohibits the slave working out as in the case of licensed draymen carters wagoners stevedors Porters etc There is certainly a defect in the law as it now stands. The hirer should be made alike liable to the penalty with the owners in the inhibited cases for clearly if you cut off the demand you extinguish the supply.

With these views your Committee are of opinion that the best mode of reaching the evil will be to make the exceptions indicated, to include the hirer as well as the owner, and to put the subject under the control of the magistrates throughout the State and require them to report to the Attorney General and solicitors all violations of the law on this subject for punishment.

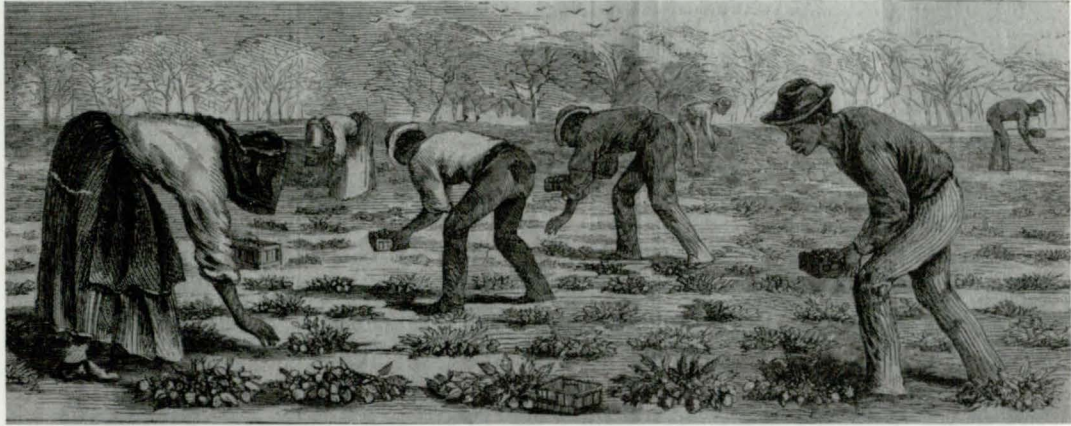




*Slave cabin, Old House Plantation, Charleston County, South Carolina. State Historic Preservation Office, National Register of Historic Places, SCDAH.*



## IN SEARCH OF STABILITY: PETITION OF LUCY ANDREWS



While most slaves dreamed and sang of freedom, Lucy Andrews of Lancaster County presented the General Assembly with an anomaly when, in 1859, she submitted the first of at least four petitions asking to enter servitude. As the daughter of a white woman and an African American slave, she had never been enslaved. Although several committees reported on her petition favorably, the General Assembly took no action.

Records show that some time in 1860 Andrews had a baby—possibly the Emily mentioned in her 1861 petition—and by 1863 she had at least two children. The 1860 census for Lancaster County lists her as a sixteen-year-old childless mulatto living in the household of Henry H. Duncan and his wife. Duncan witnessed her 1860 petition and was, according to a later petition, her choice for slave master.

The 1850 census lists a six-year-old girl named L. Reaves along with the family of John D. Andrews and his wife, Elizabeth H. Andrews. Elizabeth, who was Andrews' second wife, died in March 1854. His first wife, Lucy, had died in June 1833. The similarities in timing, age, and name suggest that L. Reaves was also Lucy Andrews.

Lucy Andrews disappeared from the public records after she submitted her third petition in 1863. Her words describing the uncertainty and loneliness she felt as young free person in Lancaster District, South Carolina, however, live on.

### SOURCES

South Carolina General Assembly: Journal of the House, 30 November 1859; Journal of the Senate, 28 November 1860, 20 November 1861, and 25 November 1863; Petitions, 1861, no. 17 and 1863, no. 11; Committee Reports, n.d., No. 2535 and n.d., No. 2534.

United States Bureau of the Census, Population Schedules, Lancaster County, South Carolina: 1850, 193; 1860, 209.



To the Honorable, the Senate, and House  
of Representatives, of the Legislature,  
of the State of South Carolina.

The humble Petition of Lucy Andrews,  
a free Person of color, would respectfully  
represent unto your Honorable Body, that she  
is now sixteen years of age, (and the Mother  
of an Infant Child) being a Descendant, of  
a White Woman, and her Father a Slave;  
That she is dissatisfied with her present condition,  
being compelled to go about from place to place,  
to seek employment for her support, and not  
permitted to stay at any place, more than a  
week, or two, at a time, no one caring about  
employing her. That she expects to raise a family,  
and will not be able to support them. That she  
sees, and knows, to her own sorrow, and regret, that  
Slaves are far more happy, and enjoy themselves  
far better, than she does, in her present isolated  
condition of freedom, and are well treated,  
and cared for by their Masters, whilst she is going  
about, from place to place, hunting employment for  
her support. That she cannot enjoy herself, situated  
as she now is, and therefore prefers Slavery, to  
freedom, in her present condition. Your  
Petitioner therefore prays, that your Honorable  
Body, would enact a law, authorizing, and  
permitting her, to go voluntarily, into Slavery,  
and select her own Master, and your Petitioner  
well, as in duty bound, ever pray &c.

In the presence of-

J. H. Truitt  
J. H. H. H. H.  
J. H. H. H. H.  
J. H. H. H. H.

Lucy Andrews  
mak

turn over.

Records of the General Assembly, Petitions, n.d., no. 2811. (Submitted to the  
House on 30 November 1859.)



We the undersigned Citizens, of  
Lancaster District, are well acquainted  
with the Petitioner, Lucy Andrews,  
and believe the facts stated in the Petition  
to be true, and we are well satisfied in our  
own minds, that the Petitioner would be in  
a far better condition, in a State of Slavery,  
than in a State of freedom — and that  
her Petition ought to be granted —

Joseph Clark	James Bane
W. M. Kelley	Dwain Buckham
Dr. C. Perry M.D.	W. H. Horton
George Canthen	J. S. Horton
Thos. M. Goss	John Bailey Jr
James R. Lejill	George H. Broom M
N. V. L. Durkin M.D.	John S. Duncan
William C. Brasington	John S. Croston
Thos. J. Werry	Agnes W. Croston
W. J. Hestledge	James W. Williams
R. H. Canthen	Wilson. Corcoran
J. M. Canthen	app. app. Train
Thos. Roach	G. W. Ellis
S. C. Canthen	J. S. Trussal
Henry M. Andrews	Samuel W. Lay
Thos. J. Canthen	J. W. Marshall
Anderson Bowers Jr	Olga Simmons
F. B. Mosley	Levi Wright
John M. Canthen	William H. Marshall
William Walker	L. J. Watson
Thos. Duncan	J. P. Robinson
Rev. A. J. Canthen	J. M. Hagins
Robt. Beckham M.D.	Wm. Wright
George Vickroy	J. W. Trusdel
W. S. Beckham	Henry Duncan

Records of the General Assembly, Petitions, n.d., no. 2811. (Submitted to the House on 30 November 1859.)



To the Honorable the Senate, and House of Representatives, of the Legislature,  
of the State of South Carolina.

The humble Petition of Lucy Andrews, a free Person of color, would respectfully represent unto your Honorable Body, that she is now seventeen years of age, (and the Mother of an Infant Child) being a Descendant, of a White Woman, and her Father a Slave; That she is dissatisfied with her present condition being compelled to go about from place to place, to seek employment for her support, and not permitted to stay at any place, more than a week, or two, at a time, no one caring about employing her—That she expects to raise a family, and will not be able to support them. That she sees, and knows, to her own sorrow, and regret, that Slaves are far more happy, and enjoy themselves far better, than she does, in her present isolated condition of freedom; and are well treated, and cared for by their Masters, whilst she is going about, from place to place, hunting employment for her support That she cannot enjoy herself situated as she now is, and prefers Slavery, to freedom, in her present condition. Your Petitioner therefore prays, that your Honorable Body, would enact a law, authorizing, and permitting her, to go voluntarily, into Slavery, and select her own Master; and your Petitioner will, as in duty bound, ever pray &c—

her

In the presence of                      Lucy X Andrews  
J. R. Trusdel                      mark  
A.E. Rutledge  
H. H. Duncan  
J<sup>as</sup> Vinson

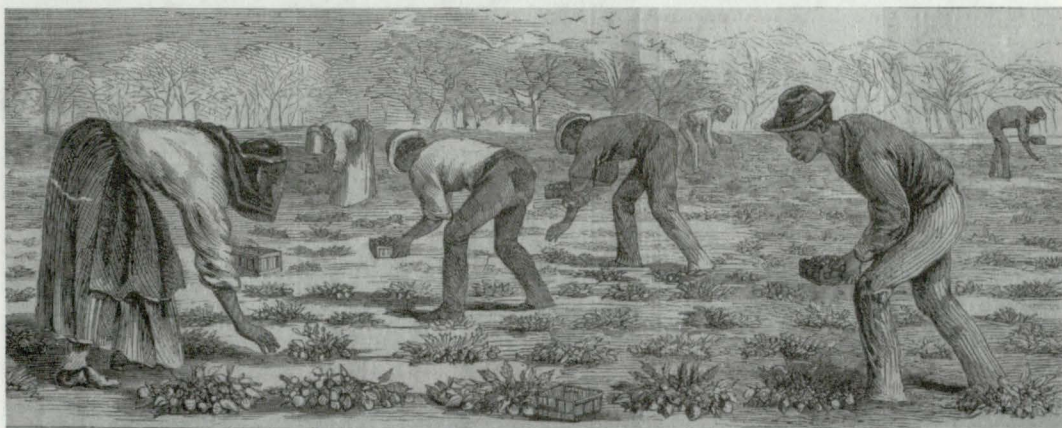
We the undersigned Citizens of Lancaster District, are well acquainted with the Petitioner, Lucy Andrews, and believe the facts stated in the Petition to be true, and we are well satisfied in our own minds, that the Petitioner would be in a far better condition, in a State of Slavery, than in a State of freedom—and that her Petition ought to be granted—  
Signed Joseph Clark et al .

*Records of the General Assembly, Petitions, n.d., no. 2811. (Submitted to the House on 30 November 1859.)*



PETITION OF SUNDRY CITIZENS OF HORRY COUNTY

## FEAR OF THE FREE: PETITION OF SUNDRY CITIZENS OF HORRY COUNTY



Free persons of color occupied a precarious position in the slave society of antebellum South Carolina. They played a valuable role within the economic structure of the state, but their legal and social status caused a variety of problems.

In a society where slavery was believed necessary for the well being and civilization of the savage African American race, the survival, and in some cases the prosperity, of African Americans living outside slavery challenged the foundation of the peculiar institution. In addition, their status as freemen worried slave owners, who feared that slaves would rebel to achieve the same end. It also threatened the white laboring class because free persons of color constituted a pool of cheap and skilled labor.

Being free, however, did not bestow equality. Whites in general viewed free persons of color as inferior and used them as scapegoats for many of the problems that beset the South.

Beginning early in the antebellum period, South Carolina attempted to restrict the growing population of free persons of color. Although the restrictions lagged behind those of many other southern states, the legislature placed constraints on manumissions and immigration and required free persons of color to have white guardians. By the 1850s, the growing schism between North and South hardened the South's defense of slavery. Many southerners opined that the time had come to deal with the free status of persons of color, for that freedom was an anomaly that undercut the arguments many southerners put forth to defend slavery. As a result, numerous petitions like this one were presented to the legislature.





*City of Charleston, South Carolina, 1860. Harper's Weekly, 21 April 1860, 244. Picture Collection, SCDH.*

The General Assembly, however, failed to bend to the pressure. Many of these petitions were from the rural areas of the state where few free persons of color lived. In Charleston, where a third of the state's free persons of color lived, the white populace held a more favorable opinion of this class. It knew these people played a vital role in the state's economy. The more prosperous had established close personal and business ties with the powerful and influential of Charleston, and those who belonged to this "brown aristocracy" were often slaveowners themselves. These elite free persons of color supported the status quo and would, a few years down the road, support the Confederacy as well.

#### SOURCES

H. M. Henry, *The Police Control of the Slave in South Carolina* (New York: Negro Universities Press, 1968. Reprint of 1914 edition), 176-89.

Michael P. Johnson and James L. Roark, *No Chariot Let Down: Charleston's Free Persons of Color on the Eve of the Civil War* (Chapel Hill: University of North Carolina Press, 1984), 6-15.



To The Honorable the Senate and Members  
of the House of Representatives, of  
South Carolina

Your memorialists respectfully  
shew to your Honorable bodies,

That the social and moral position  
of the free negroes within our State  
is fraught with much evil to society  
without any corresponding goods.

as a class they are generally - at least  
so far as our knowledge extends -  
indolent, insolent and dishonest,  
occupying a position towards the  
Slave calculated to prove menacing  
to him and injurious to his rising  
interests. Under the present laws of the  
State they are permitted to select  
their own Guardian who is placed  
under no moral or obligatory re-  
straint for their good conduct, but  
who in many instances we fear,  
is the joint-partner with his Ward in  
carrying on nefarious traffic with  
the Slave, who feel themselves pro-  
tected in their depredations by the  
Guardian power of the white man  
over his free Ward. We feel fully  
satisfied that the revenue derived  
from the Taxes assessed upon the  
free colored population of this  
State will not compensate for one  
fourth of the loss sustained by the  
citizens through their dishonesty

Records of the General Assembly, Petitions, n.d., no. 1801. (Submitted to the Senate  
on 29 November 1860.)



to say nothing of the seeds of crime  
by their means and through their  
influence perpetrated by the Slaves,  
as one instance of recent occurrence  
we will state that there is now lodged  
in the Jail of this District and shortly  
to suffer the death penalty a Slave  
who we believe has been lead to  
the perpetration of the crime by  
which he has forfeited his life, by  
aggravation, with a free Woman of  
colour, whose baseness has been the  
means of his destruction.

We therefore respectfully ask your  
Honorable bodies to pass such an Act  
as may at once rid us of these  
pests, by making it obligatory on  
all free persons of color, to leave  
the State within a given period  
(say twelve months) or failing to  
do so that they be subject to  
Public Sale by the Sheriff of the  
District, the proceeds of such sale  
to be placed in the State Treasury  
and your Memorialists will  
ever pray for the,

Wm. W. Beatty  
R. W. Spruill  
W. W. Waller  
J. C. Bridger  
John Parshy  
W. S. Graham  
W. H. Brock  
W. J. Taylor  
Tom E. Gillespie

John R. Beatty  
James H. Forman  
Geo. R. Congdon  
Geo. S. Barron  
J. M. Steady  
M. S. Gargans  
J. M. Bell  
Thos. H. Hobbs  
John. M. Johnson

Records of the General Assembly, Petitions, n.d., no. 1801. (Submitted to the  
Senate on 29 November 1860.)



Isaac T. Lewis	C. L. H. H. H. H. H.
B. W. Durant	W. Herring
E. T. Lewis	Thos. Reynolds
J. L. Molloy	Josh. W. W. W.
A. W. Price	Wm. H. H. H.
Reedy Chesnut	Hugh H. H. H.
E. Beum	Thos. J. H. H.
Saml. S. Bealy	Chas. G. Easton
Curtis Chew	W. W. H. H. H.
J. W. Molloy	Sup. G. H. H.
J. F. Green	William H. H.

Records of the General Assembly, Petitions, n.d., no. 1801. (Submitted to the Senate on 29 November 1860.)



To The Honorable The Senate and Members of the House of Representatives of  
South Carolina

Your memorialists respectfully shew to your Honorable bodies.

That the social and moral position of the free negroes within our State is fraught with much evil to society without any corresponding good. as a class they are generally—at least so far as our knowledge extends—indolent, insolent and dishonest, occupying a position towards the slave calculated to prove ruinous to him and injurious to his masters interest. Under the present laws of the State they are permitted to select their own Guardian who is placed under no moral or obligatory restraint, for their good conduct, but who in many instances we fear, is the Joint partner with his Ward in carrying on nefarious traffic with the Slaves who feel themselves protected in their depredations by the Guardian power of the white man over his free Ward. We feel fully satisfied that the revenue derived from the Taxes assessed upon the free coloured population of this State will not compensate for one fourth of the loss sustained by the citizens through their dishonesty to say nothing of the seeds of crime by their means and through their influence perpetrated by the Slaves as one instance of recent occurrence we will State that there is now lodged in the Jail of this District and Shortly to suffer the Death penalty a Slave who we believe has been lead to the perpetration of the crime by which he has forfeited his life by a connection with a free Woman of Colour, whose baseness has been the means of his destruction.

We therefore respectfully ask your Honorable bodies to pass such an Act as may at once rid us of these pests, by making it obligatory on all free persons of color, to leave the State within a given period (say twelve months) or failing to do so that they be subject to Public Sale by the Sheriff of the District, the proceeds of such Sale to be placed in the State Treasury and your memorialists will ever pray & soforth.

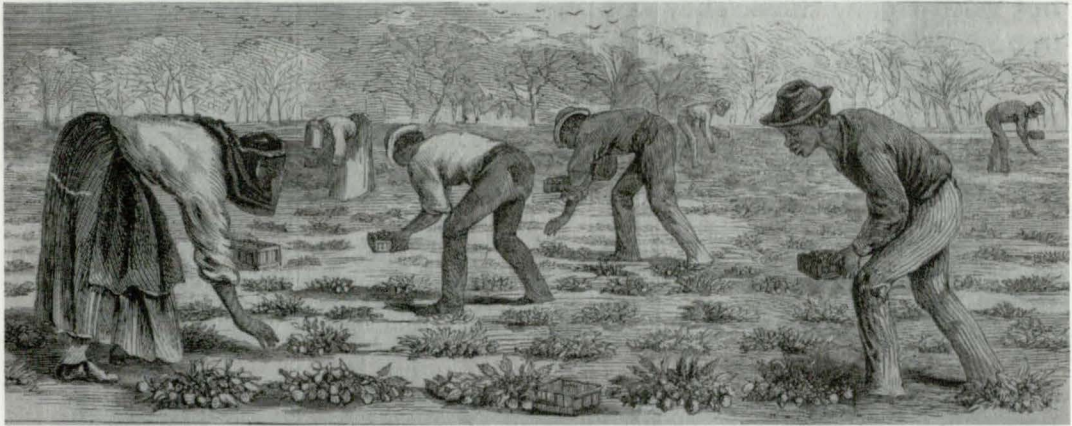
Signed

Tho<sup>s</sup> W Beaty et al

*Records of the General Assembly, Petitions, n.d., no. 1801. (Submitted to the Senate on 29 November 1860.)*



## THE CARE OF ORPHANS: PETITION OF SUNDRY INHABITANTS OF BEAUFORT AND BARNWELL DISTRICTS



This petition to the General Assembly, although straightforward, illustrates the often complex interaction that took place among slaves, free African Americans, and the white population.

Free African Americans found it difficult to survive economically in rural South Carolina, but one, Benjamin Phillip Owens Cohen, accumulated a sizeable estate, which included both real estate and slaves. The long list of names attached to the original petition from sundry inhabitants of Beaufort and Barnwell districts and their comments concerning other supporters testify to his standing and respectability within the white community.

Cohen's wife was a slave, and because she was, neither she nor their children—the logical heirs to his property—were able to inherit his estate legally. Instead, his personal property and slaves—his wife and children potentially included—would be sold, and the money and land would escheat—revert to the state.

Cohen was born before 1800 to Caty Owens, a free woman of color. His mother's status as a free person gave him the same status. The identity of his father, while not certain, was likely Barnet A. Cohen, a Barnwell farmer, who served as Benjamin's guardian and gave him his surname.

Barnet A. Cohen helped Phillip accumulate a substantial portion of his wealth by selling him both slaves and property. As early as 1810, Barnet A. Cohen sold 138 acres of land to Phillip and Phillip's brother, Barnet. In 1813, he provided the two brothers with two young slaves, one of whom may have become Phillip's wife in 1845. When Barnet A. Cohen died in 1839, Phillip had several loans from him still outstanding.



By the time of his death on 21 March 1860, Phillip Cohen had accumulated a personal estate worth \$7000, portions of which were sold to settle debts. The estate included eight slaves, but, interestingly, his wife and children were not listed among them. They were, however, listed among the free population in both the 1850 and 1860 federal census.

This petition was introduced into the Senate on 12 December 1861 and referred to the Committee on the Judiciary. The committee's report on the petition was presented on 20 December, but no action was taken before the General Assembly adjourned for the year the following day. No later record of the family has been identified.

#### SOURCES

United States, Bureau of the Census, Population Schedules, Barnwell District, South Carolina, 1830, 149; 1850, 443; 1860; 502.

Barnwell District, Register of Mesne Conveyance, Deeds: Vol. 6, 324–25; Vol. E, 178.

Barnwell District, Records of Probate Judge, Estate Papers: Bundle 7; Bundle 146, Pkg. 11.

*Statutes at Large of South Carolina*, V, 46–49.

South Carolina General Assembly, Journal of the Senate, 1861, 118, 183.



To the Honorable the Senate and House of Representatives.

The humble petition of the undersigned sheweth to your Honorable Bodies that one ~~Philip~~ W. P. O. Cohen a free person of color a resident in his life time in Barnwell District near the line of Brunswick District on the Savannah River died leaving no lawful heirs to property in land and negroes possessed by him to the value of

That the said ~~Philip~~ W. P. O. Cohen was in every particular esteemed by all who knew him as a correct upright and consistent member of the Methodist Church and worthy of the confidence regards and respect of all good citizens.

That on account of his known integrity of character and standing he won for himself during a life of fifty one years the sympathy and concern of all his neighbors and all those with whom his business relations brought him in contact he being a public servant <sup>clerk in the court of the district</sup> for upwards of thirty years and discharging his duty as such with the utmost fidelity.

That sixteen years since the said ~~Philip~~ W. P. O. Cohen took to wife a favorite <sup>Mulatto</sup> slave whom he loved and to whom he was married lawfully according to the ceremony of the Church and with whom he lived happily and had several children born to him namely Susan John and Benjamin all of whom have been educated by their father to read and write and are nearly white or quadroons.

That your Petitioners feel as though violence would be done to the sentiment of the community should the letter of the Law be carried out in dealing with the widow and

Records of the General Assembly, Petitions, n.d., no. 5157. (Submitted to the Senate on 12 December 1861.)



Orphans of the late ~~Philip~~ P. D. Cohen as with his  
 property and therefore the undersigned have ventured  
 to come before the Honorable Senate and House of  
 Representatives, asking relief of the State as to the  
 claim in the premises, and also praying that the said  
 widow and orphans may have benefit of what prop-  
 erty was left by the late ~~Philip~~ P. D. Cohen; and that  
 the same may not escheat, and your petitioners  
 with ever pray &c  
 Respectfully Submitted

x John Mc Cafferty  
 J. J. Cafferty  
 B. P. Stone  
 J. E. Rushing  
 J. E. Solomon  
 J. J. Solomons  
 W. H. Hutchinson  
 A. M. Owens  
 C. J. Gray  
 M. H. P. C. Ry  
 J. A. Woods  
 R. H. Henderson  
 Robert R. Brown  
 R. A. Williams  
 A. B. Rouse  
 W. A. Cafferty

Mrs. M. J. Cafferty  
 Mrs. L. A. Rushing  
 Mrs. R. E. Rushing  
 Mrs. O. C. Keittles  
 Mrs. J. G. Solomons  
 Mrs. E. A. Solomons  
 Mrs. C. A. Solomons  
 Miss Roscoe Solomons  
 Miss Mary J. Parnell  
 W. H. Thomson  
 Mrs. J. J. Thomson  
 Mrs. S. Boston  
 Miss R. A. Boston  
 Miss E. A. Parnell  
 W. H. Ingram  
 Mrs. E. J. Best  
 Miss Ann L. Gray  
 Miss Jane L. Gray  
 Miss Louisa L. Gray  
 Mrs. Lydia R. Gray  
 Mrs. Emily C. Reeves

Records of the General Assembly, Petitions, n.d., no. 5157. (Submitted to the Senate on 12 December 1861.)



Mrs E. Williams  
 Mrs Dr. Owens  
 Miss D. J. Wood  
 Mrs S. C. Brown  
 Mrs E. M. Williams  
 Mr R. Rouse  
 Miss J. Stone  
 Miss M. A. Roberts  
 Miss J. A. Martin  
 Miss L. A. Roberts  
 Miss J. H. Gaffette  
 Miss Julia Gaffette  
 Miss Jennie Gaffette  
 Miss Anne Gaffette

It may be worthy of remark that even Antislavery  
 men our community would have signed the  
 above petition but our community is almost  
 depopulated, they having gone to the Army

Records of the General Assembly, Petitions, n.d., no. 5157. (Submitted to the  
 Senate on 12 December 1861.)



To the Honorable the Senate and House of Representatives.

The humble petition of the undersigned sheweth to your Honorable Bodies That one B.P.O. Cohen a free person of color, a resident—in his life time in Barnwell District near the line of Beaufort District on the Savannah River, died leaving no lawful heir to property, in land and negroes possessed by him to the Value of

That the said B.P.O. Cohen was in every particular esteemed by all who knew him, as a correct, upright and consistent member of the Methodist Church and worthy of the confidence regards and respect of all good citizens

That on account of his known integrity of character and standing, he won for himself during a life of sixty one years, the sympathy and concern of all his neighbors, and all those with whom his business relations brought him in contact he being a public servant as clerk in a mercantile establishment as warehousekeeper for upwards of Forty years and discharging his duty as such with the utmost fidelity

That sixteen years since the said Philip B.P.O. Cohen took to wife a favorite Mulatto slave whom he loved and to whom he was married lawfully, according to the ceremony of the Church and with whom he lived happily and had several children born to him namely Susan John and Benjamin. All of whom have been educated by their Father to read and write, and are nearly white or quadroons

That your petitioners feel as though violence would be done to the sentiment of the community should the letter of the Law be carried out in dealing with the widow and orphans of the said Philip B PO Cohen as with his property and therefore the undersigned have ventured to come before the Honorable Senate and House of Representatives asking relief of the State of South Carolina in the premises and also praying that the said widow and orphans may have benefit of what property was left by the said Philip B.P.O. Cohen and that the same may not escheat and your petitioners will ever pray &c

Respectfully Submitted

John N. Laffitte, Sr.

G. S. Laffitte

B. R. Storee

J LC Rushing

A.E. Solomons

S G Solomons

N[?] H Johnston

A. W. Owens

C T gray

WM. P. Gray

J. A. Woods

R H Henderson

Robert R Brown

Mrs M. P. Laffitte

Mrs S A Rushing

Miss H E Rushing

[?] O.C. Kettles

Miss A. O. Solomons

Miss E H Solomons

Mrs. C.A. Solomons

Miss Rossie Solomons

Miss Mary S. Parnell

Mrs C W Thomson

Mrs. S G Thomson

Mrs. S Horton

Miss R A Horton



R. A. Williams Sr.  
A. B. Rowse  
M A Laffitte, Jr

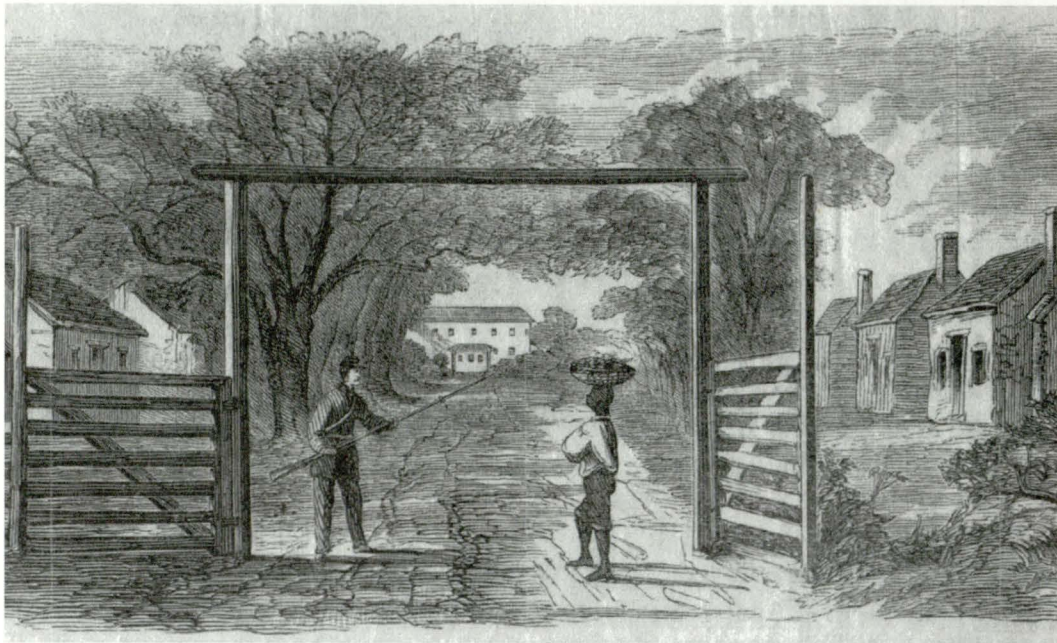
Miss E C Parnell  
[?] Ingram  
Mrs E I Best  
Miss Ann C. Gray  
Miss Jane L. Gray  
Miss Louisa C. Gray  
Mrs. Lydia R. Gray  
Mrs. Emily C. Reeves

Mrs. E. Williams  
Mrs. Dr. Owens  
Miss D ct Wood  
Mrs. I. C. Brown  
Mrs. E M Williams  
Mrs R Rouse  
Miss T Stone  
Miss M. A. Roberds  
Miss J. A Martin  
Miss L. A. Roberds  
Mrs J. C. Laffitte  
Miss Julia Laffitte  
Miss Jennie Laffitte  
Miss Ann Furse

It may be worthy of remark that every Gentleman in our community would have signed the above petition but our community is almost depopulated they having gone to the Army

*Records of the General Assembly, Petitions, n.d., no. 5157. (Submitted to the Senate on 12 December 1861.)*

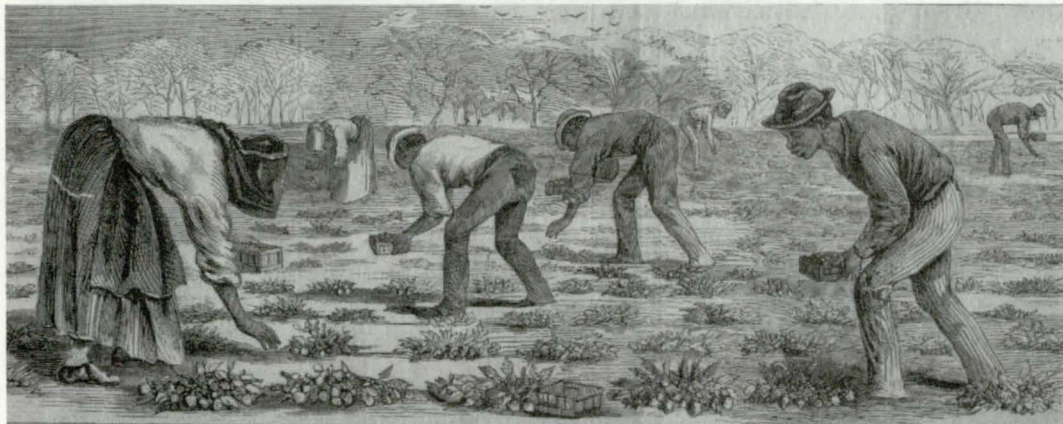




Picket on duty, Drayton Plantation, Hilton Head, South Carolina, 1861. *Harper's Weekly*, 7 December 1861, 773. Picture Collection, SCDAH.



## COMPENSATION FOR STATE SERVICE: PENSION APPLICATION OF JULY GALLUCHAT



When South Carolina fired on Fort Sumter in 1861, the American Civil War began. In mobilizing, the state faced a critical need for manpower. It and the Confederate States of America required not only men for active military service but also large labor levees to construct and maintain coastal fortifications.

By March 1862 the state was impressing enslaved African Americans to complete fortifications around Charleston—at one point 1800 men at a time for tours of duty that normally lasted one month. As this application reveals, the labor was arduous and often dangerous. Hundreds of claims were filed during the Civil War for slaves who died in public service. In November 1863 alone, James Tupper, the state auditor, approved claims totaling \$218,100 for “slaves lost in the public service.”

In 1887 the General Assembly passed its first Civil War pension act. It authorized pensions for disabled soldiers and for widows of servicemen who had died during the war. Although the pensions were intended for soldiers, July Galluchat, an ex-slave from Clarendon County applied. He had worked as a laborer on the coastal fortifications and had been wounded at Fort Sumter in 1863 by an exploding shell. He lost his left leg below the knee, his left forearm, and his left hand.

Galluchat applied for a pension, and in approving his application in 1889, the Clarendon County Pension Board affirmed his faithful service and the extent of his disability and argued that he was “a true Democrat.” Earlier, in 1882, when Galluchat had petitioned for the value of an artificial arm, Joseph Galluchat, a Manning attorney, had supported his application.



Other African Americans applied for pensions, too. Besides July Galluchat, the 1888 report of the comptroller general lists pending applications from M. F. Wharton in Abbeville County, Benjamin Chisolm in Berkeley County, and Andrew Richardson in Richland County.

Little personal information is available for Galluchat. He is not listed in the indexes for the 1870, 1880, or 1900 federal population census schedules for South Carolina. Nor does he appear on Clarendon County's 1869 population schedule or militia enrollments. The county's 1868 voter registration, however, lists a Gillel Galluchat in Shorter's Election precinct.

Records from Clarendon County's Court of General Sessions show a J. Galluchat charged for assault with a gun in 1868 and a July Galluchat prosecuted by one H. S. Briggs for "violation of contract" in 1888.

On 10 March 1888, Galluchat had contracted with Briggs to dig a ditch. He was to begin work on 12 March "at price to be set by said H. S. Briggs until the said amount of seventeen dollars is paid in full." Galluchat was arrested on 25 June 1888, was committed for trial, but the prosecution was dropped in October. Unfortunately, the session roll does not survive, but, one wonders, how could a man with only one arm and one leg fulfill such a contract?

In 1860 a J. Gallichat—possibly Joseph Galluchat, Sr., attorney at law—owned one slave house with eight slaves. One male, who was sixteen years old on 28 June 1860, lived in the slave house. This sixteen-year old would have been born c.1844, and if he was July Galluchat, he would have been nineteen when he lost part of his left leg, his left forearm, and his left hand at Fort Sumter.

#### SOURCES

Alexia Jones Helsley, *South Carolina's African American Confederate Pensioners, 1923–1925*. (Columbia: SC Department of Archives and History, 1998), 6–7, 41.

Records of the General Assembly, *Reports and Resolutions 1863*, Report of the State Auditor.

Records of the Comptroller General, Pensions Department: Applications, 1888–1906; Applications for Artificial Limbs, 1880–1887, 73–419, 74–420.

South Carolina, Records of the Secretary of State, Voter Registrations, 1868, Clarendon County, 253.

Clarendon County, Court of General Sessions, Sessions Roll, 1886, #117.

United States Bureau of the Census, Population Schedules, Clarendon County, South Carolina, 1860.

United States Bureau of the Census, South Carolina Slave Schedule, 1860, 266 (National Archives M653 Reel 1234).



*Coland*

No. *25*

APPLICATION FOR PENSION

County - Examining Board.

NAME: *July Galluchat*

POST OFFICE: *Marion*

COUNTY: *Clarendon*

Co. *Regiment, S. C.*

Co. *Battalion, S. C.*

C. S. A. *Company,*

Filed *March 20th 1889*

No. *25*

APPLICATION FOR PENSION

STATE BOARD OF PENSION.

NAME: *July Galluchat*

COUNTY: *Clarendon*

Filed *11 APR 1889*

SECRETARY OF STATE

APPROVED. *16 APR 1889*

STATE OF SOUTH CAROLINA, )  
COUNTY OF *Clarendon*

I, *July Galluchat* Auditor of the County and State  
aforesaid, do hereby certify that I have examined the foregoing application of *July Galluchat*  
who is an applicant for a pension, under Act of General  
Assembly approved December 24th, 1887; that his income does not exceed two hundred and fifty  
dollars per annum, and that he is not possessed of sufficient property to produce such income.

Witness my hand, this *Twenty Sixth* day of *March*, 1889

*David Charleston*  
Auditor of *Clarendon* County.

Records of the South Carolina Comptroller General, Confederate Pension Applications, 1888-1906.



## PENSION APPLICATION OF JULY GALLUCHAT

COUNTY OF Gloucester

To H. H. Loomis & others

COUNTY EXAMINING BOARD OF PENSIONS.

The undersigned respectfully applies for a pension under the Act of the General Assembly of the State of South Carolina, approved December 24th, 1887. Your applicant was, at the passage of said Act and is now, a citizen of said State, and resides at Mansfield, P. O., in the County of Belmont; that he was a bona fide member of the 1st in the service of Confederate States in the war between the States, and was a ..... in Company ..... of ..... Regiment, and while in such service was wounded by shells at Fort Sumter Charleston S.C. by which he lost one leg and one hand

at Fort Sumner on the 6 day of Sept 1863, causing a permanent disability, whereby he is incapacitated from earning a livelihood: that neither he nor his wife is receiving an income exceeding two hundred and fifty dollars per annum from wages, salary or from any other source. Respectfully submitted.

or from any other source. Respectfully submitted.

A. C. Bagnal

July <sup>his</sup> Galluchest-  
mink

STATE OF SOUTH CAROLINA,  
COUNTY OF Colleton

PERSONALLY APPEARED BEFORE ME Just Galluchat  
who, being duly sworn, deposes and says that he is the person making the foregoing application, and  
that the facts stated therein are true.

Sworn to and subscribed before me, this 24<sup>th</sup> }  
day of March 1889 } July <sup>his</sup> Gallender  
James E Davis unc

*Records of the South Carolina Comptroller General, Confederate Pension Applications, 1888-1906.*



# PENSION APPLICATION OF JULY GALLUCHAT

STATE OF SOUTH CAROLINA, }  
COUNTY OF Clarendon }

PERSONALLY APPEARED BEFORE ME

W. J. Clark & P. G. Beeson

who, being duly sworn, depose and say that they have been, each and all of them, acquainted with July Galluchat who is the applicant of the annexed application for a pension, that each of them have read the said application, and that they know that said applicant was a Laborer as therein stated, and that they believe the allegations made therein to be true.

Sworn to and subscribed before me, this 26<sup>th</sup> day of March 1889

James E Davis  
CCP

STATE OF SOUTH CAROLINA, }  
COUNTY OF Clarendon }

To the State Board of Pensions:

We, the undersigned, the County Examining Board of Pensions for the County of Clarendon do hereby certify that we have made a careful examination of the foregoing application of July Galluchat for pension, under the Acts of the General Assembly, approved December 24th, 1887, and December 24th, 1888, and are of the opinion that said applicant is entitled for not entitled, as case may be. to a pension thereunder, for the following reasons:

1st. That the said applicant was [or was not] a *bona fide* in the late war between the States, as alleged in his petition, and that he is [or is not] suffering from wounds received in said war, which disable him from earning a living, which wounds affect him as follows: [Describe wound or wounds minutely.]

Lost left leg below knee and left hand



# PENSION APPLICATION OF JULY GALLUCHAT

2d. That neither he nor his wife have an income exceeding two hundred and fifty dollars, either from wages, salary or any other source whatever, nor have they sufficient property to produce such income.

3d. [Here state other reasons which influence the Board to grant or reject the application.]

*This applicant is a colored man and was wounded as above set forth while working on Fort Sumter. We think this applicant is entitled to a pension as he was faithful to the Confederate cause and has been entirely disabled from earning a living. (A true Democrat)*

*W. E. Brown M.D.  
T. Lewis Sedy*

STATE OF SOUTH CAROLINA,  
COUNTY OF *Charleston*

I, *W. E. Brown* Physician of the County Examining Board of Pensions, whose name is subscribed to the above certificate, do hereby certify that I have made a personal examination of the wounds of *July Galluchat*

applicant for pension, and find him *with the left leg amputated just below the knee & the left hand, about the middle third of the fore arm*

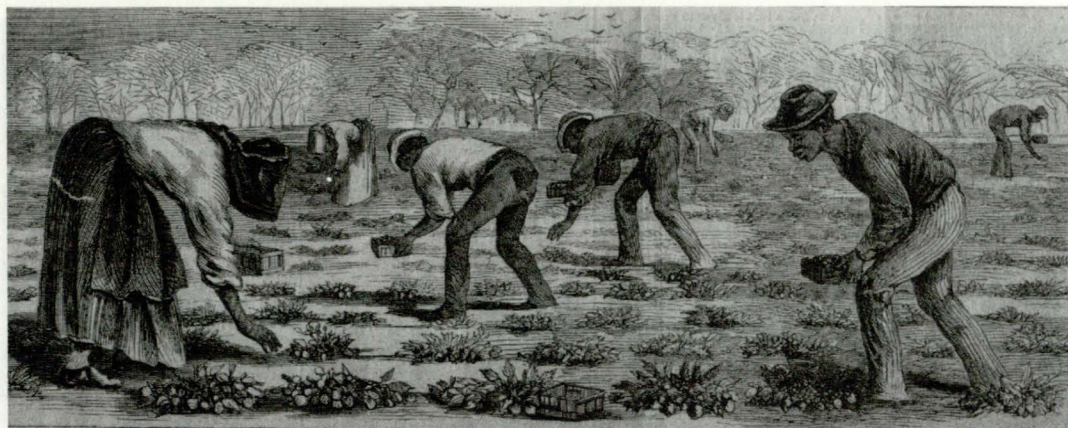
And in my opinion the said applicant is justly entitled to a pension under Acts of the General Assembly.

*W. E. Brown M.D.*

Records of the South Carolina Comptroller General, Confederate Pension Applications, 1888-1906.



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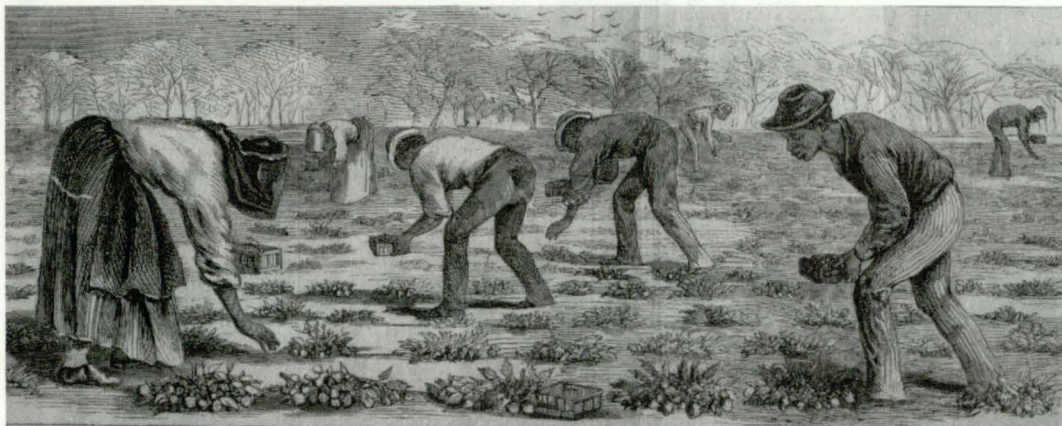
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## HISTORICAL RECORDS IN THE CLASSROOM



Historical records are windows on the past. They shed light on how people lived, worked, and died. They and archaeological evidence are the only clues we have to what has gone before.

Using historical documents in the classroom brings to the study of history an immediacy that allows the student to experience the past. They are primary sources, contemporary with the events they describe. The student who uses primary sources can evaluate the documents as a source and ask questions, such as:

- \* who created the document
- \* why was it created
- \* what does the document say about life at that time
- \* what information is needed but not present
- \* what is the document creator's perspective or bias.

Teachers and students can use the documents reproduced in this reader to glimpse the many faces of slavery in South Carolina. Through their use, students can become engaged by the process of learning and emotionally involved with the past. They can also learn to evaluate and interpret evidence and to develop working hypotheses. For those who want to know more about slavery in antebellum South Carolina, the bibliography on page 155 offers sources for additional study.

Students with different skill levels and different academic disciplines can profit from the study of historical documents. They never grow stale, and with each reading, they bring fresh insights and raise new questions. Using historical documents is fun!







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HIGHSMITH #45230

Printed  
in USA



ISBN 1-880067-52-8



9 781880 067529



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